



WEST HANTS REGIONAL MUNICIPALITY
Committee of the Whole - Meeting Agenda **AMENDED**
February 09, 2021 - 6:00 p.m.

In-Person Sanford Council Chambers, 76 Morison Drive, Windsor, NS
(also via Zoom & FB Livestream)

Agenda is subject to change due to additions that may not be able to be reflected until after the meeting.

1. Call to Order
2. Attendance
3. Approval of the Agenda, including additions or deletions
 - a) Dashboard Action Items – Information Log
4. Declaration(s) of Conflict of Interest
5. Announcements
6. Approval of Previous Meeting Minutes
 - a) 2021-01-12 Committee of the Whole minutes
7. In-Camera
 - a) Land Matter (MGA Section 22(2)(a))
8. Presentations
 - a) Region 6 – Valda Walsh and Christine McClare, Region 6 Coordinators
9. Unfinished Business/Postponed Motions
 - a) Rural Internet
 - i. Rural Internet Service for NS Initiative Update – (Standing Item) – Maps
 - b) Sewer Billing Review
 - c) West Hants Ground Search and Rescue Funding – Recommendation Report
 - d) **Mobile Canteen & Sidewalk Cafe – Request for Direction Report**
 - e) **Planning Process Review – Request for Direction Report**
 - f) West Hants Dial-a-Ride – Request for Direction Report
10. Reports
 - a) **CAO Activity Update – Information Report**
11. Correspondence
 - a) Info Only – None
 - b) Requests (for discussion)
 - i. Royal Canadian Legion – Funding Request toward sprinkler system
12. New Business
 - a) December COTW and Council Meetings – Request for Decision Report (A. Zebian)
 - b) **Municipal Climate Change Adaptation Plan (MCCAP) Term Position – Recommendation Report**
 - c) **Noise By-law – Request for Direction Report**
 - d) Temporary Borrowing Resolution(s) – Recommendation Report

- e) Fiscal Highlights – Information Report/Update
- f) Accessibility Advisory Committee Member Appointment – Recommendation Report
- g) **Bog Road**

13. Public Participation Period

14. In-Camera

- a) 2021-01-12 COTW In-camera Minutes Approval
- b) Land Matter – Purchase matter (MGA Section 22(2)(a) (verbal)
- c) Legal Matter – Shared Service Agreement and Municipal Corporations (MGA Section 22(2)(g)

15. Next Meeting Date / Adjournment

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
Land Matter	COTW (IC)	D	2020-04-14			CAO
Internet Access Business Plan - CAO to initiate process for dev of a business plan to present to Council (may req. consultation with market/industry experts for the delivery of high-speed internet access for WHRM residents. (Cross-ref with 2020-09-08 COTW direction)	Council	M	2020-04-28 (M) 2020-09-08 (D)			CAO
Sewer Billing Review - Staff explore what the sewer rates would be if sewer util. fees were put back on the taxes. (Tabled until after budget) (Also at 2020-04-14 COTW mtg)	COTW	M	2020-05-12	2021-02 COTW		CAO/Fin
Asset Mgmt (Strategic Sustainability) - Strategic Sustainability Plan is needed	COTW	D	2020-05-12	On-going until approx. Oct. 2022		PW
Avon River Causeway (Aboiteau/Hwy. 101 Twinning) - CAO to initiate process for financial evaluation which may include feasibility study on potential economic opportunities that exist with each of the causeway/aboiteau options being considered with Hwy. 101 twinning proj. (Table motion until after Community Liaison Committee (CLC) meets)	COTW	M	2020-05-12			CAO
Branding for Region - proceed with Branding project	Council	M	2020-05-26	2021-03		CAO
RCMP (Policing) - Staff explore other policing models to determine best cost per officer including all overhead costs. A review will be needed and if changing models, one-year notice would need to be given	COTW	D	2020-06-01	2021-02		CAO

M - Motion
D - Direction/Discussion

**West Hants Regional Municipality
Dashboard (Action List) 2020/21**
Feb. 03, 2021

Green - Complete
Yellow - In-progress
Red - Not started

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
Blended Rates (restructuring of existing tax rate) - Staff and council to review over the next year.	COTW	D	2020-06-01	2021-02		CAO/Fin
PID 45245578 and portions of 45182797, 45245560, 45245552, 45184025, and 45182904 (Cogmagun Lands) - purchase as per Letter of Offer presented at 2020-06-09 COTW in-camera	Council	M	2020-06-23			CAO
Hantsport Fire Station Design - staff explore a space in Hantsport for a community space and warming centre	Council	M	2020-07-28			PW/Comm. Dev
Rural Internet - Send 'heatmap' survey to WHRM residents asking if they have internet	COTW	D	2020-09-08	2021-03		CAO
James Salter (Funding Req) - Resurrection of wooden statue. Staff to meet with Mr. Salter re proposed project cost(s) and meet with Hantsport Fire Dept. to discuss potential preservation options & report back.	Council	M	2020-09-22	2021-03		CAO
Restaurants/Mobile Canteens - Staff review existing by-laws/policies/fees (incl sidewalk cafes and mobile vending units). Report to include info on location permissions as well as comparable fees in our region for similar services along with any recommended changes.	Council	M	2020-09-22	2021-02		CAO/Planning
Racial Profiling Assertion - Staff write letter to local RCMP re recent assertion of racial profiling in our community (see motion)	Council	M	2020-09-22	2020-10		CAO

M - Motion
D - Direction/Discussion

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Pedestrian Signage and Barriers - Have consistent and align with Branding outcomes. Staff prepare report for 2021/22 Capital & Operating budgets. (These items should be incorporated into our growth centres). Staff report back.	Council	M	2020-09-22	Align with Branding outcomes		PW/Comm. Dev
Comms Plan/Process for Staff-Council	Council	D	2020-09-22	2021-02		CAO
Property Owners Assoc - Fees Review (if requested by POA)	Sp COTW	D	2020-09-23	2021-01 Council 2021-02 (also with Rad Consulting Engagement Sessions)		Fin
Diversity & Inclusion Committee (from Meeting & Committee Procedural Policy Amendments) - Advertise for Committee members and mobilize the committee	COTW	M	2020-10-13			CAO
Rezoning Application (20 Main St, Hantsport PIDs 45043312 & 45043304) - Work with Planning Dept for Rezoning	COTW	M	2020-10-13	2021-02		CAO/ Planning
Financial Status Updates - Staff to look at new structure to include more frequent reporting	COTW	D	2020-10-13	2021-01		CAO/Fin
Burning Permit - Staff review existing Fire-related by-laws	COTW	D	2020-11-10	2021-02		CAO/Fire Chiefs
In-Camera - (b)MGA 22(2)(a) Acquisition, Sale, Lease and Security of Municipal Property – Land Sale - Proceed with next steps/presentation	COTW	D	2020-11-10	2021-01		CAO

<u>Matter</u>	<u>Meeting</u>	<u>M/D</u>	<u>Start Date</u>	<u>Deadline / Update</u>	<u>Status</u>	<u>Resp.</u>
W.B. Stephens Building Design Project Management - On-hold. Get appraisals of Morison & King St Complexes, review of staffing complement, and review parking availability at King.	Council	D	2020-11-24	2021-02		CAO
Hantsport Municipal Office Surplus - Put on the market for sale.	Council	M	2020-11-24	2021-01		CAO
West Hants Dial-a-Ride - Financial request to be added as a budget line item. (Staff to review WH Dial-a-Ride financials and report back at Feb. COTW)	COTW	D	2021-01-12	2021-02		Fin
Hantsport Fire Station Design Build - Staff release an RFP for Option 1	COTW	M	2021-01-12	2021-02		PW
CAO Report - Sports Complex sponsorship update	COTW	D	2021-01-12	2021-02 COTW		CAO / Comm Dev.
Property Owners Assoc - Enter new Agreement with the POA	COTW	M	2021-01-12	2021-02		CAO/Fin
Sewer Billing Review - Staff explore what the sewer rates would be if sewer util. fees were put back on the taxes.	COTW	M	2021-01-12	2021-02 COTW		Fin/CAO
West Hants Ground Search & Rescue - Staff prepare a report on how other provincial GSARs are funded and report back	COTW	M	2021-01-12	2021-02 COTW		CAO
Tax Dollars/Billing Breakdown - Send out the breakdown when bills are issued	COTW	M	2021-01-12	2021		Fin
Planning Process Review - Staff review existing processes to see if it can be streamlined (shortened)	COTW	M	2021-01-12	2021-02		CAO / Planning

M - Motion
D - Direction/Discussion

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Correspondence (NSTIR Jan. 12, 2021) - Speeding on Hwy 14. That staff send another letter to NSTIR noting that the speeding occurs in other communities, including Upper Vaughan	Council	M	2021-01-26	2021-02		CAO
Service Contracts (discussed under Item 15(a)) - That staff forward a list (provide access) of all service contracts to Council so Council is aware and can look for potential cost-savings	Council	M	2021-01-26			CAO



WEST HANTS REGIONAL MUNICIPALITY
Presenter/Presentation Overview

Date: 2/1/21

Name of Presenters & Organization: Christine McClare, Angela Taylor & Valda Walsh
Region 6 Solid Waste

Presentation Outline/Summary (Matter): Overview of Region 6

Request of WHRM Council: _____

*Thank you for providing this information & a full copy of your presentation one full week
BEFORE the date you are scheduled to present to West Hants Regional Council to
sthornton@westhants.ca !*

Solid Waste-Resource Management

In NOVA SCOTIA

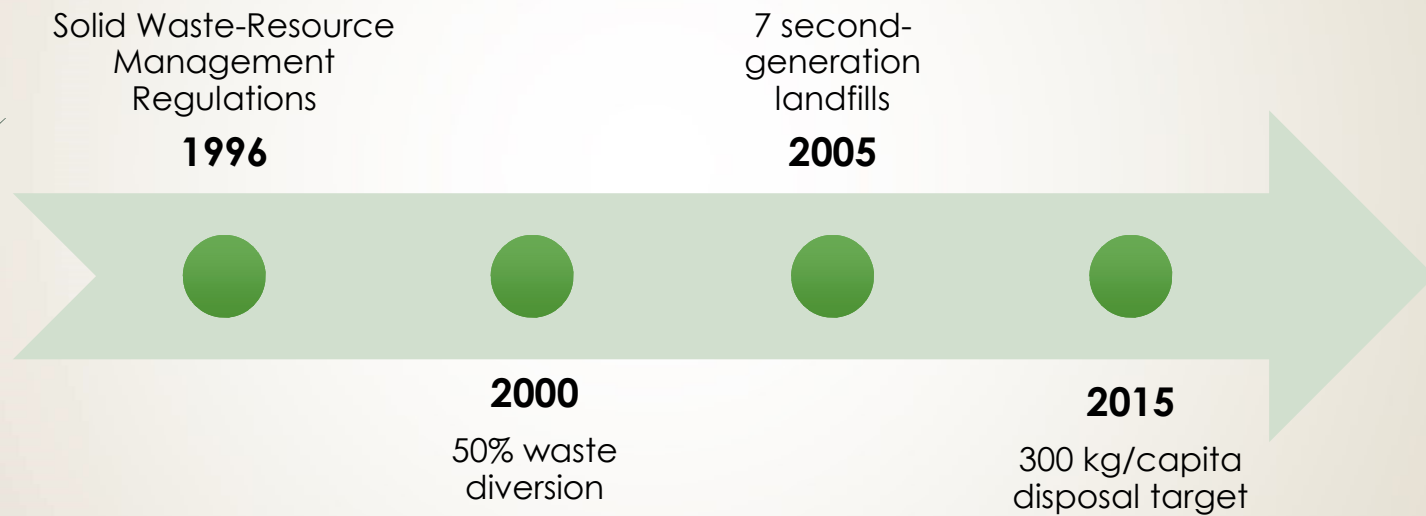


Region Background

- 1996 – Regulations
- 7 Regions



Milestones



Regional Cooperation

Who we are...

A **liaison** between the Region/Authority, the Province, Divert NS and industry stewards

Report to their respective Regional Committee/Authority

What we do...

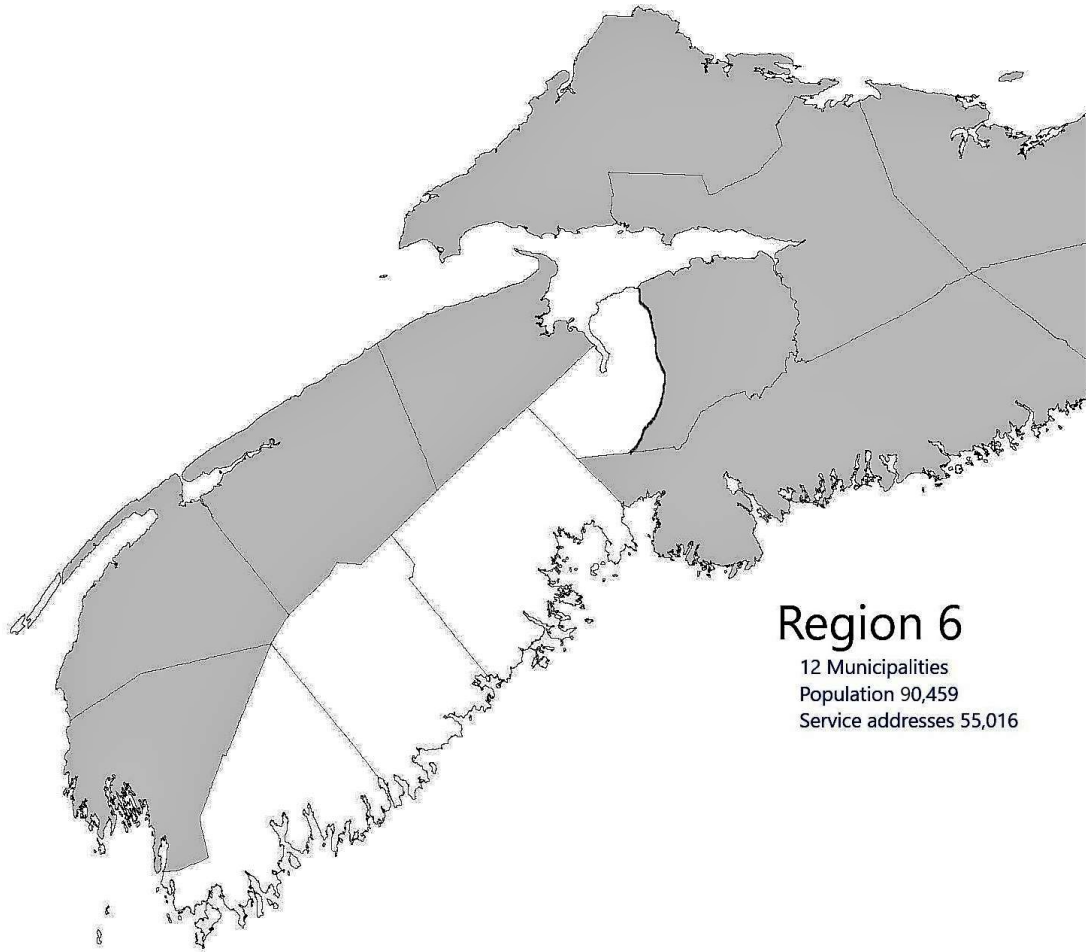
Provides solid waste expertise to the Regional Chair, committees and councils

Administer Divert NS Contracts and funding submissions

Collaborate with stakeholders on province wide special initiatives, policies and programs

How are we funded...

Through a combination of Inter-Municipal Agreements/Divert NS

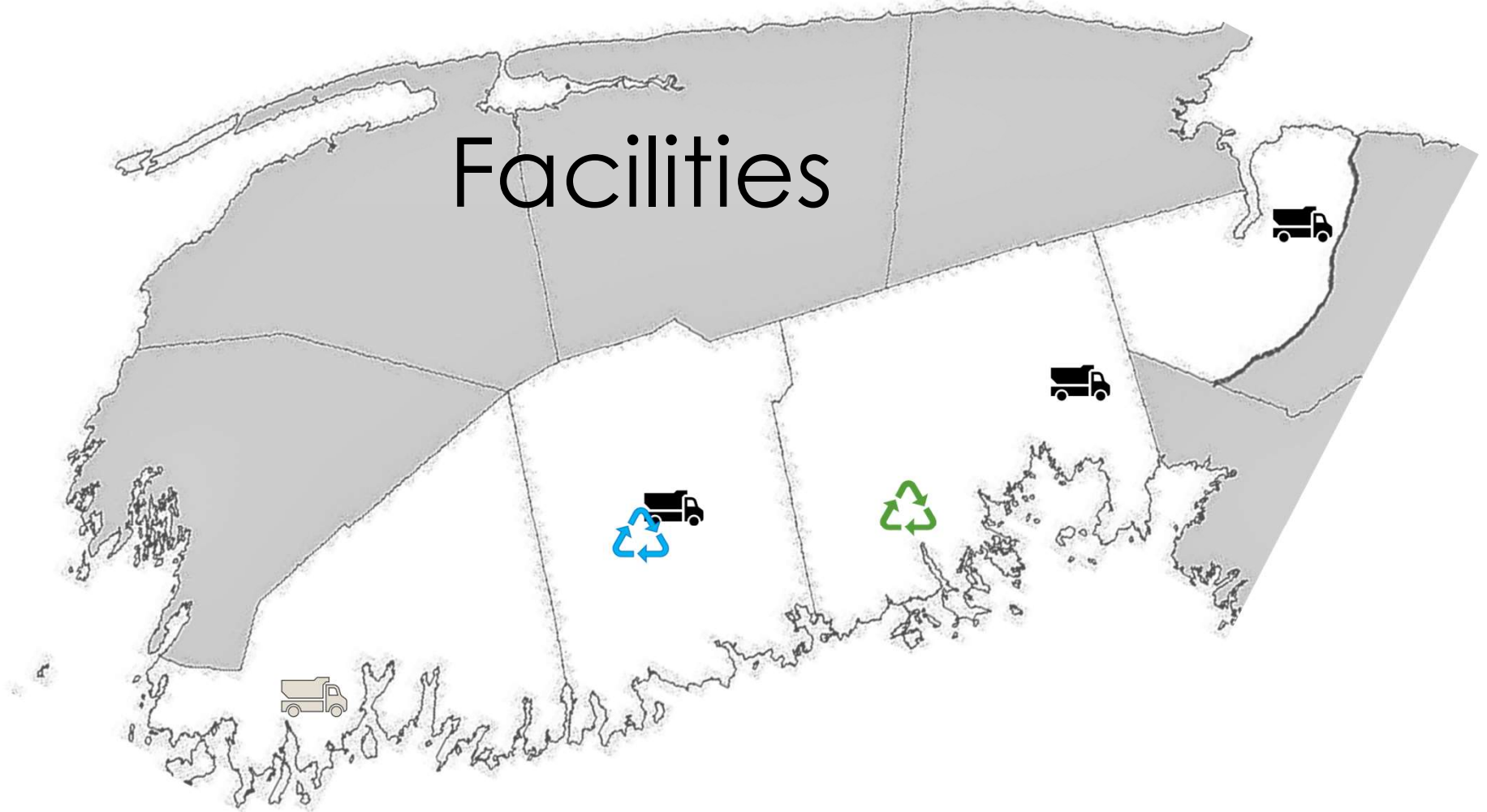


Region 6

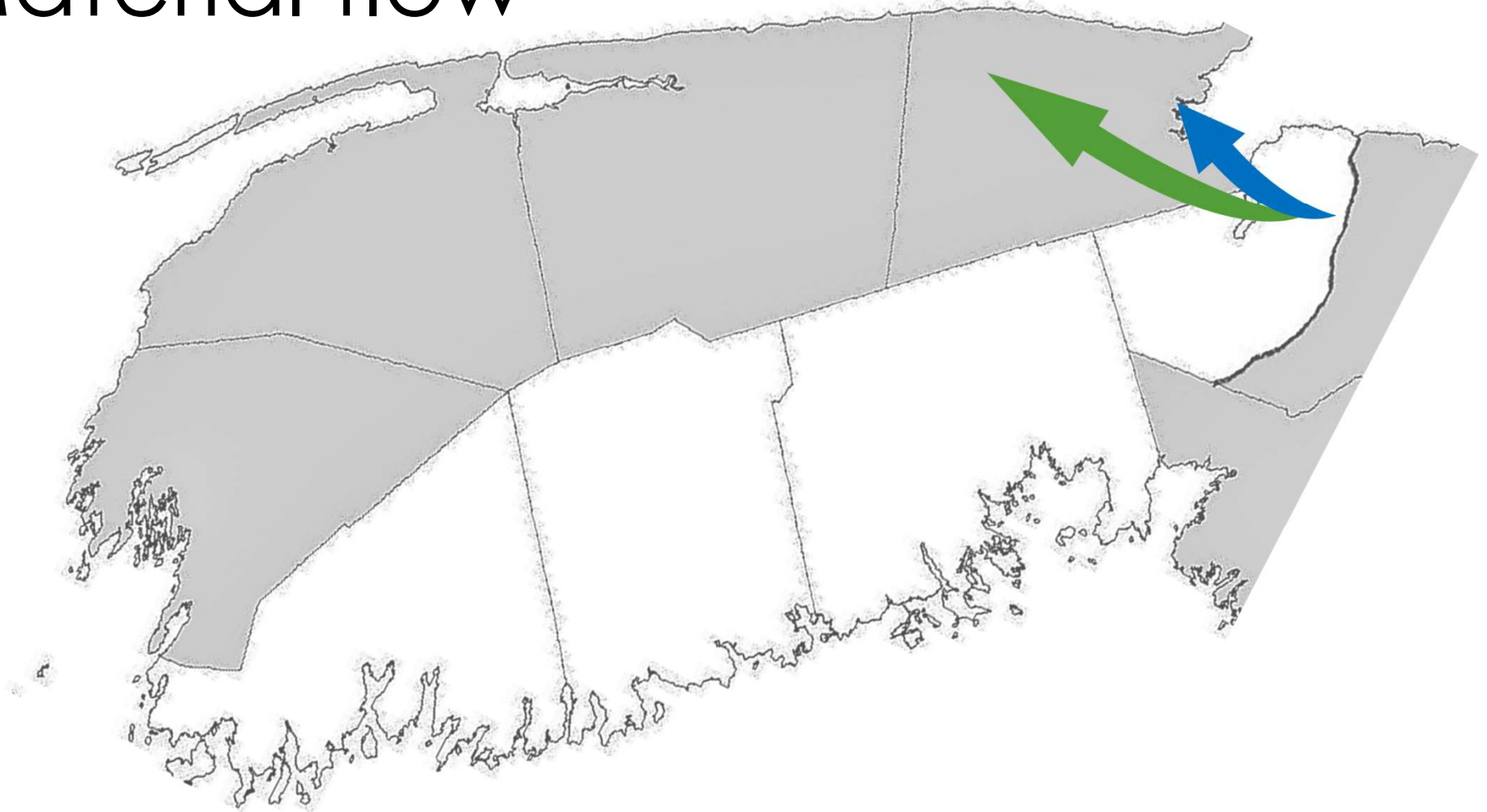
12 Municipalities
Population 90,459
Service addresses 55,016

Clark's Harbour
District of Barrington
District of Shelburne
Town of Shelburne
Town of Lockeport
Region of Queens Municipality
District of Lunenburg
Bridgewater
Mahone Bay
Town of Lunenburg
Municipality of Chester
West Hants Regional Municipality

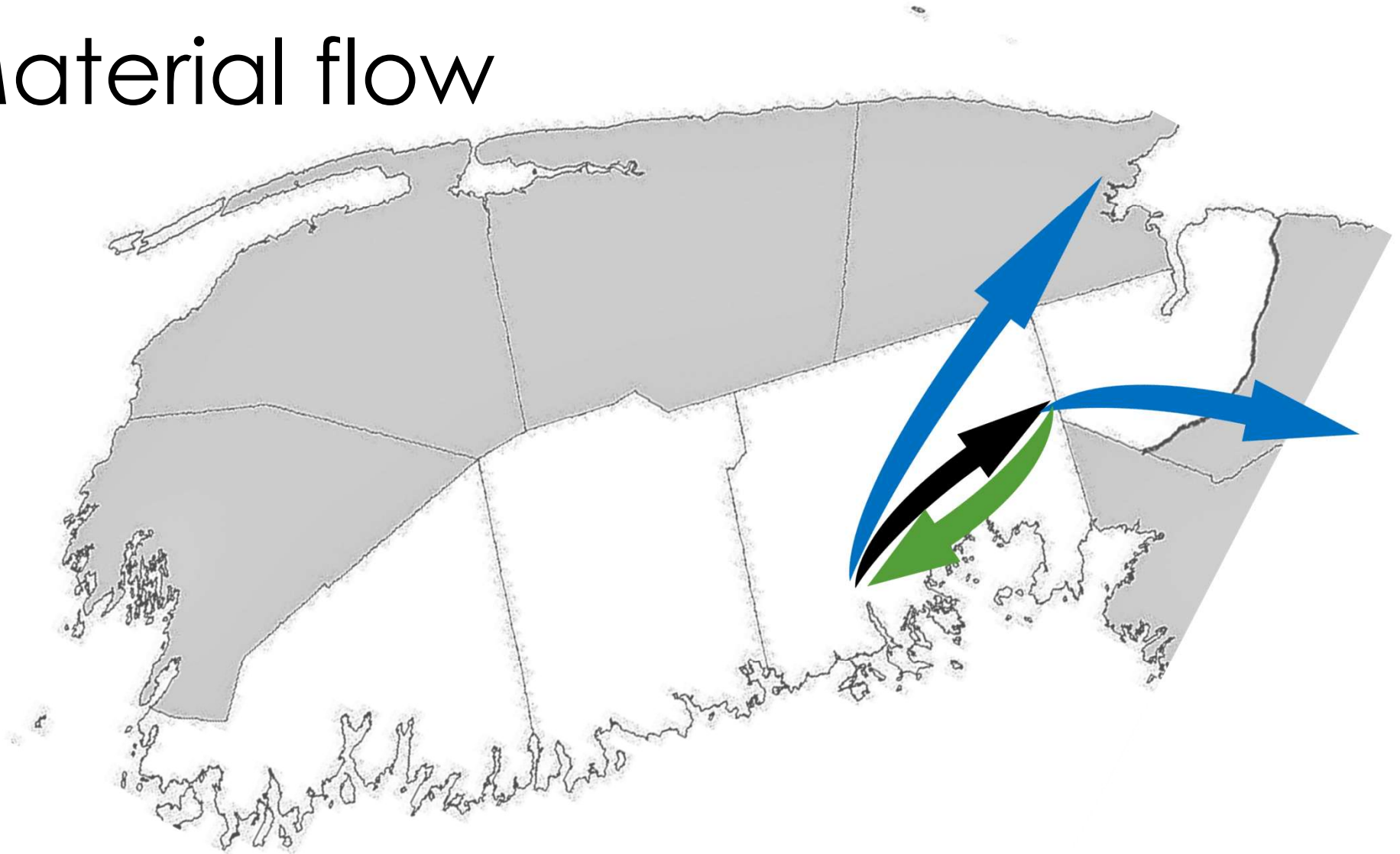
Facilities



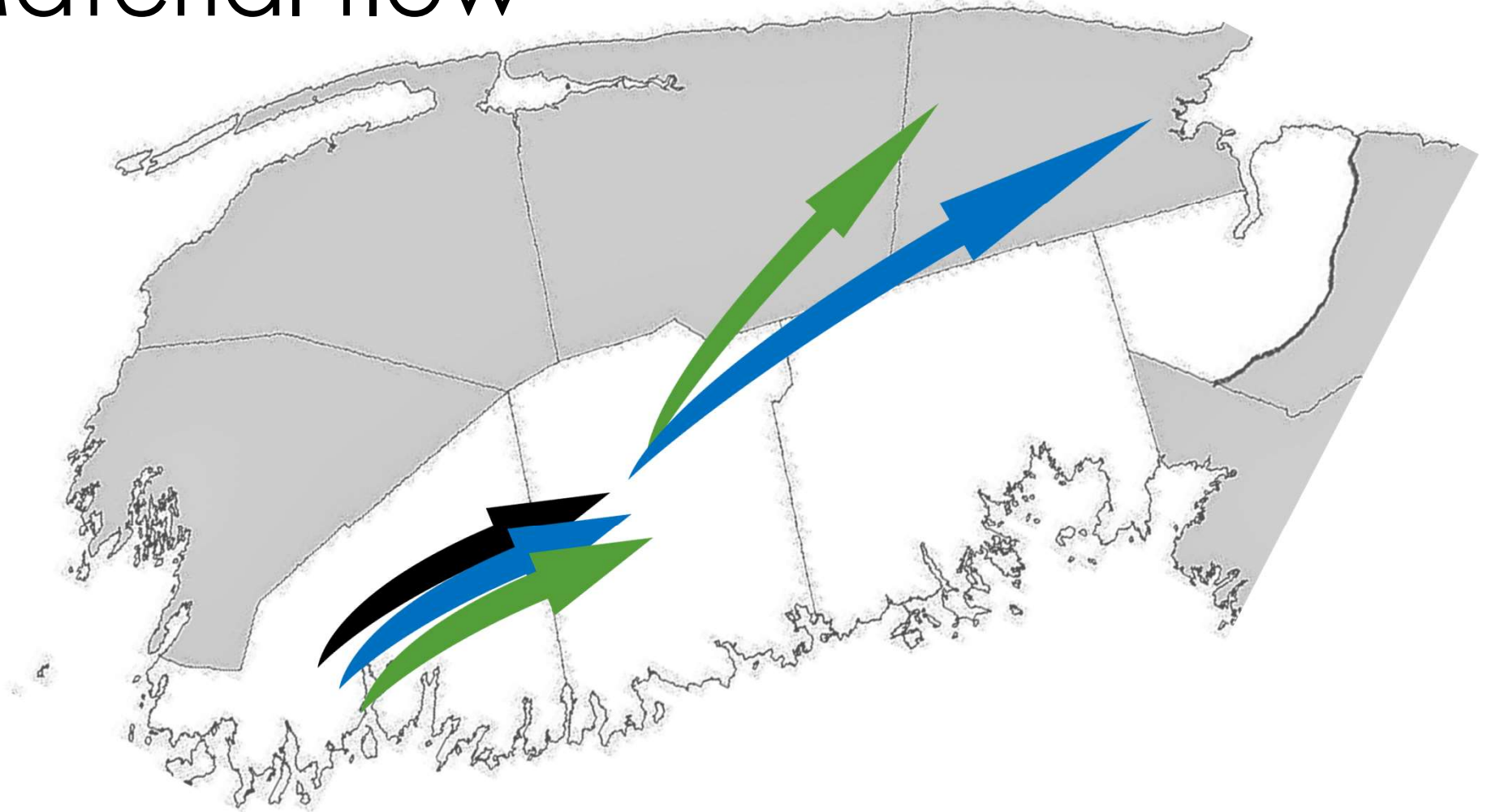
Material flow



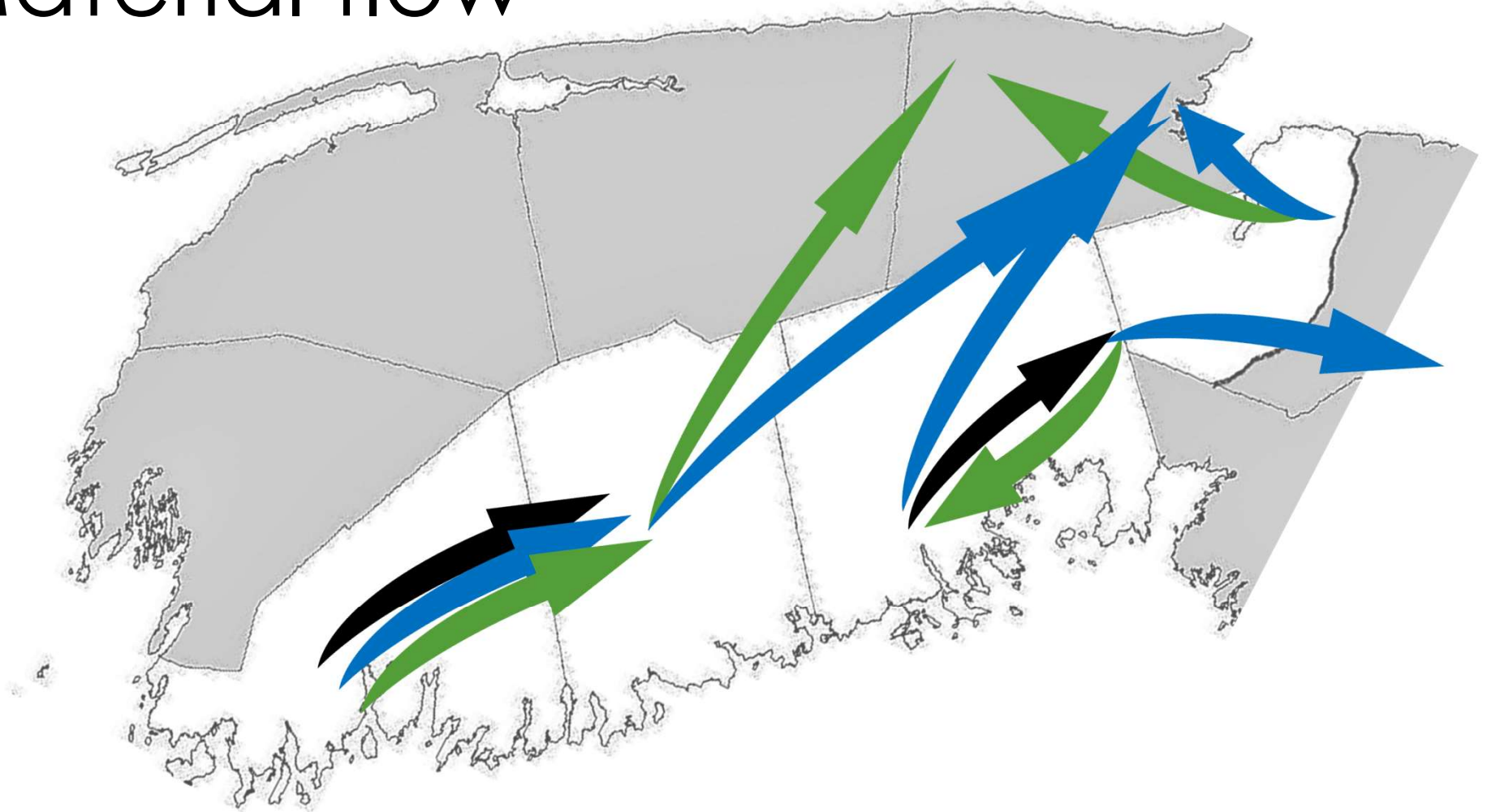
Material flow



Material flow

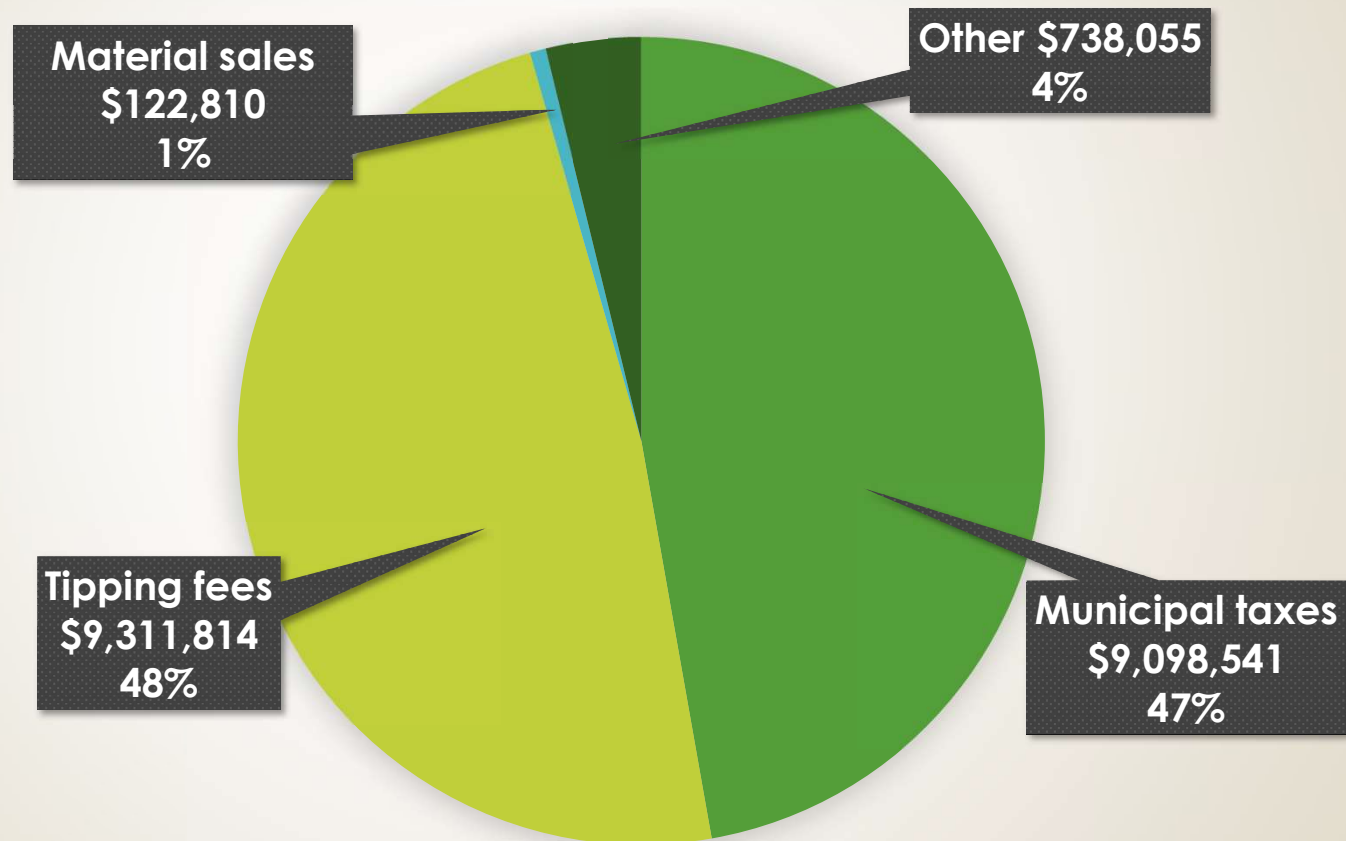


Material flow



How is it paid for:

Region 6 Total System Costs (gross) - \$19.3 Million





Inter-Municipal
network of 12
Municipal
member units



Your voice at the
provincial table for
Stewardship and
Enforcement issues



Support municipal
specific programs
as well as
R6RECYCLES,
#JIBYO



Distribute funds
throughout the
region



Provide solid
waste
expertise and
education



Funding
\$801,603

Regional Coordinators Contract - **\$43,286**

Education Contract - **\$80,392**

Enforcement Contract - **\$89,425**

Household Hazardous Waste Funding - **\$20,000**

Diversion Credit - **\$383,500**

Municipal Approved Programs - **\$91,000**

Dairy Stewardship Agreement - **\$94,000**



Education Outreach

Schools

Businesses

Public
Events

Public
Space Bins

Social
Media

Christine McClare
Regional Coordinator



Angela Taylor
Education Coordinator



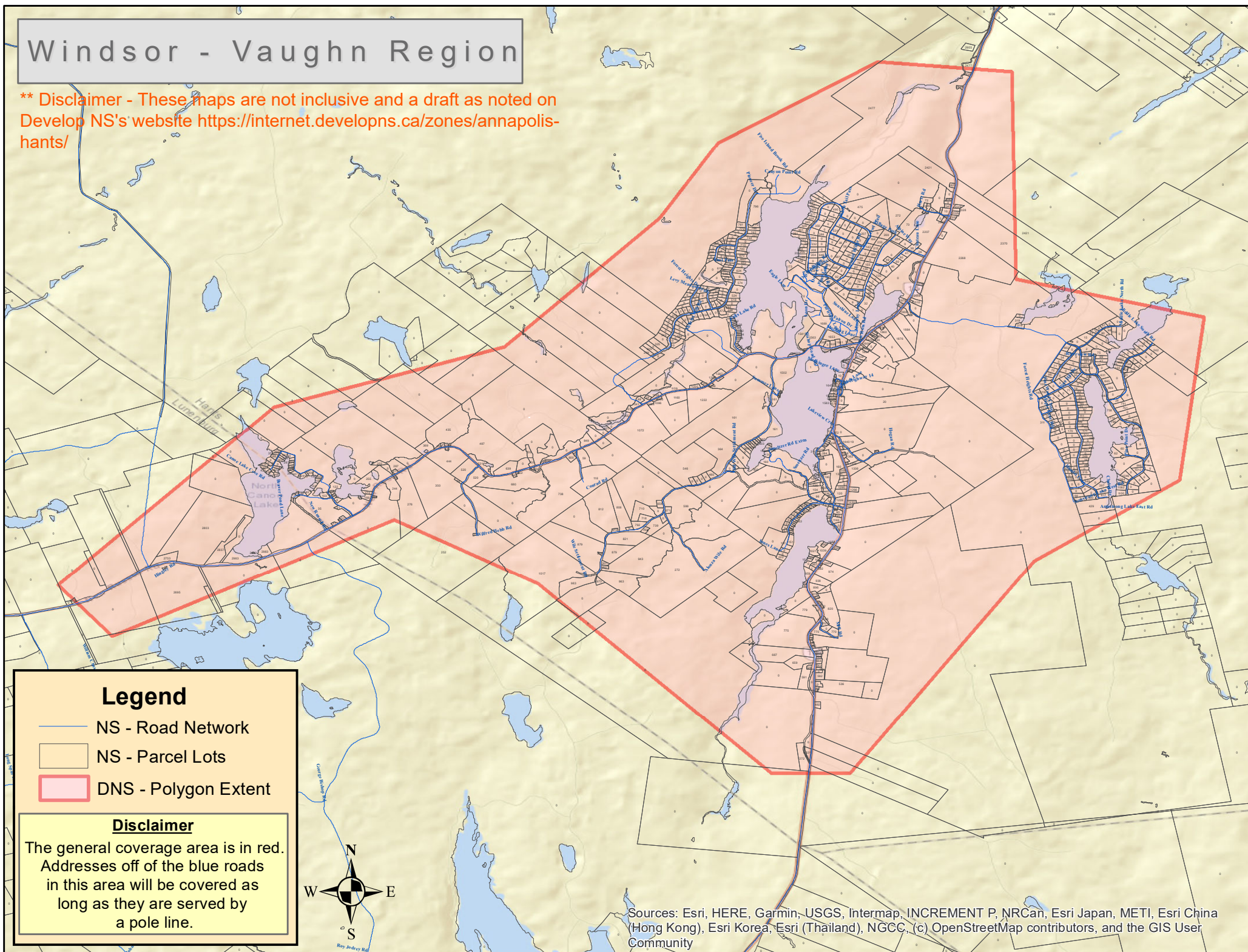
902-624-1339

info@Region6SWM.ca

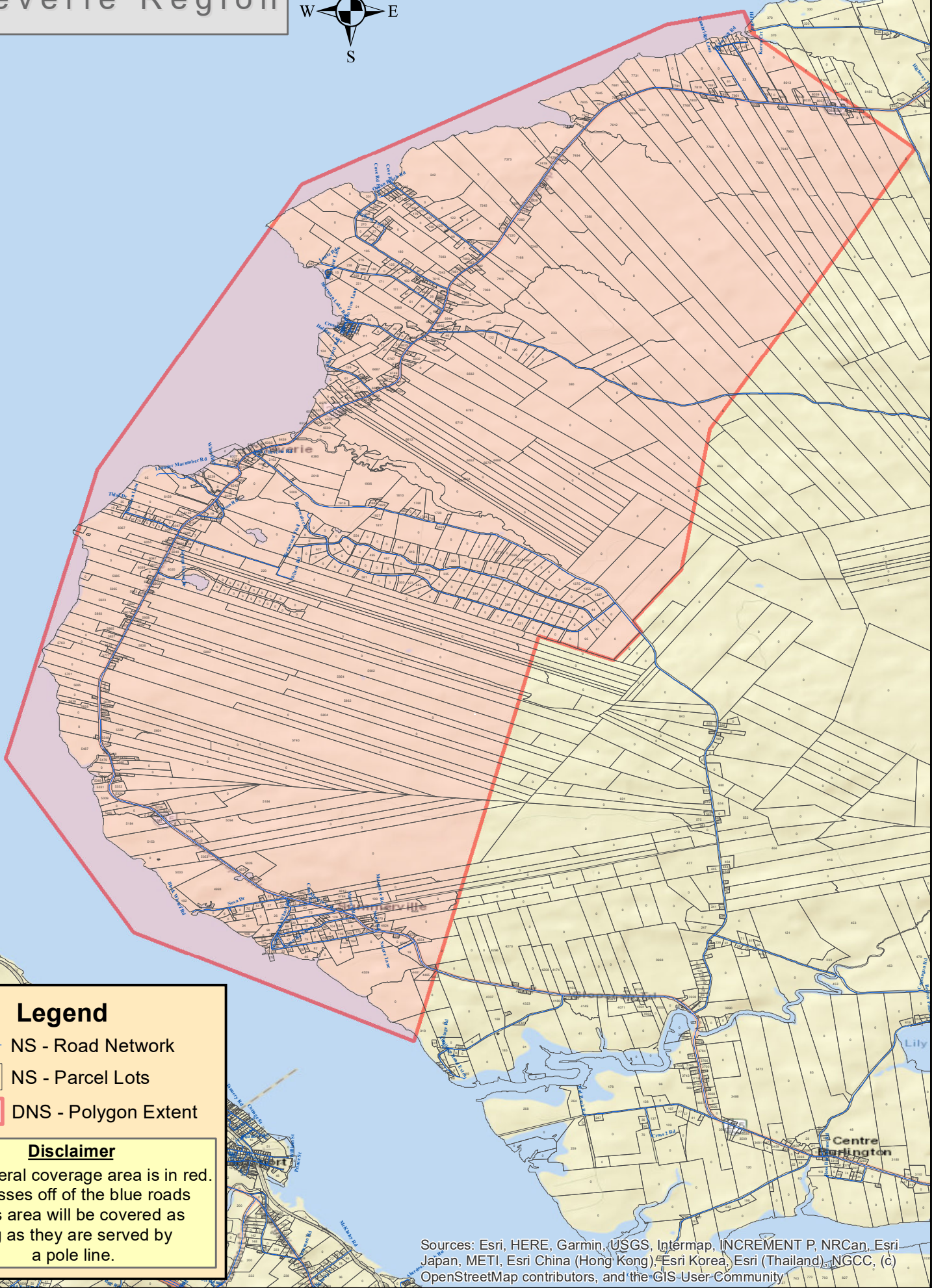
www.Region6SWM.ca

Windsor - Vaughn Region

**** Disclaimer - These maps are not inclusive and a draft as noted on Develop NS's website <https://internet.developns.ca/zones/annapolis-hants/>**



Cheverie Region



Legend

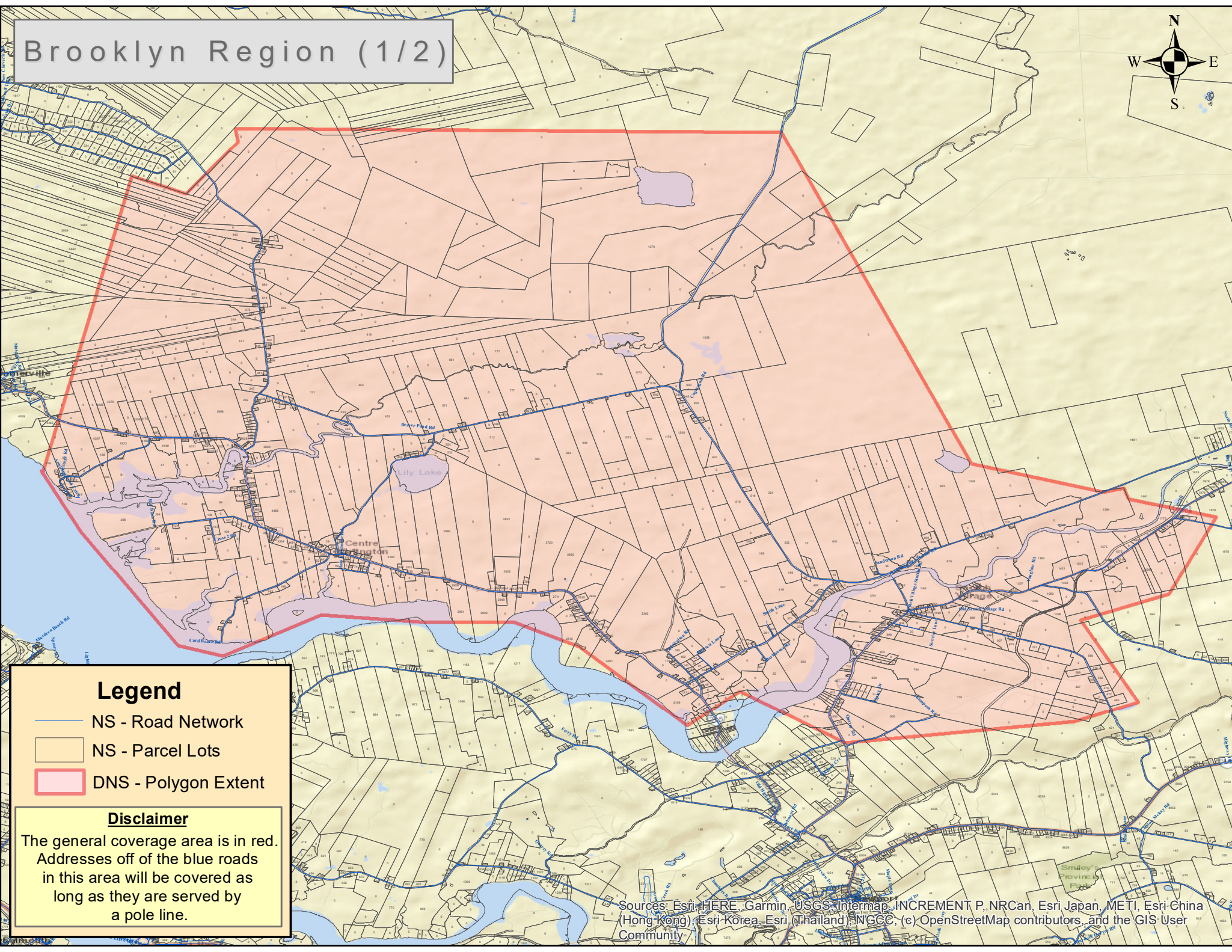
- NS - Road Network
- NS - Parcel Lots
- DNS - Polygon Extent

Disclaimer

The general coverage area is in red.
Addresses off of the blue roads
in this area will be covered as
long as they are served by
a pole line.

Sources: Esri, HERE, Garmin, (USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Brooklyn Region (1/2)



Legend

- NS - Road Network
- NS - Parcel Lots
- DNS - Polygon Extent

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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Brooklyn Region (2/2)



Legend

- NS - Road Network
- NS - Parcel Lots
- DNS - Polygon Extent

Disclaimer

The general coverage area is in red.
Addresses off of the blue roads
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a pole line.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: WHRM Committee of the Whole

Submitted by: Carlee Rochon
Carlee Rochon, Director of Financial Services

Date: January 12, 2021

Subject: Sewer Billing Review

LEGISLATIVE AUTHORITY

Municipal Government Act, Part IV Finance, Section 65

REQUEST FOR DECISION

That Committee of the Whole provide direction for

The Municipality to continue billing sewer charges on the quarterly basis with the water utility notices for all sewer customers within the Regional Municipality.

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐
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Council requested staff explore what the sewer rates would be if sewer utilities fees were put back on the property tax notices under the former "flat fee" billing structure as previously used under the West Hants Municipality before April 1, 2019.

Before we can proceed with this method, staff feels there is value for Council to explore the principles associated with how sewer customers were charged under the former West Hants billing system prior to April 1, 2019 vs. the current system so a broader understanding by the whole of Council is achieved.

DISCUSSION

Water Utility Billing Method - Status Quo

The former Municipality of West Hants engaged G.A Isenor Consulting Limited to conduct a study to consolidate the former three sewer utilities (Falmouth, Three Mile Plains/ Wentworth and Hantsport). The study was completed and presented in November of 2018. Unifying the cost and practices allowed for more fair-mindedness approach among communities. Along with **fairness** it promoted more **accuracy** in relation to the usage of each sewer customer.

For example, single dwellings in Three Mile Plains paid significantly less than those of Falmouth. Following a former West Hants Council decision, and the current billing procedure was adopted, resulting in each community having consistent rates and billing methods.

This method of billing improved what was accumulating sewer deficits and switched the fiscal responsibility of the sewer utility from the general taxpayers to those that have municipal sewer services (former West Hants 1,999 sewer accounts).

With regards to accuracy, it also allowed individuals and businesses to pay based on what they used, resulting in fairer and more accurate billing as those that put higher demands on the system were charged in relation to their use. It also gave many utility customers a new type of predictability, as their consumption history from the Water Utility can be used to predict sewer usage charges. It assisted many business customers as well as it distributed the cost over four periods, helping manage cash flows from quarter to quarter vs. an annual charge.

It has been noted by some customers and members of Council that change has been a challenge for some. Change can be a challenge, however the revised billing method used over the past year and six (6) months, is displaying required improvements in the Utility's overall financial health. This has been observed in the reduction of the number of outstanding sewer receivables resulting in the increased stability of the utility as outline during the Auditor's presentation of the 2019-20 Audited Financial Statements.

There were several administrative benefits as well. It allowed for more timely information on the status of accounts. Accounts are created and adjusted in real time vs. annually with adjustments. Further, delinquent accounts are sent more frequent notices of late payments throughout the year based on quarterly billing improving payment frequency to the Municipality. This assists management in determining the demands on the infrastructure and allows for better capital planning.

The G.A. Isenor Consulting Limited study is set to be reviewed every three years along with the water rates and is set to be reviewed in 2021-22.

Lastly, the Windsor Sewer Utility converted to the rate-based method of billing in 2008, from it being included into the tax rate (similar to Recreation, etc.). If Council chooses to maintain the fee system for former West Hants customers, we will remain consistent with the Windsor Sewer Utility providing for a uniform billing method to all sewer customers within the Region.

Historic Property Tax Notice Method – Prior to April 1, 2019

As in the past with the former West Hants Municipality, prior to the consolidation of the sewer utility in April of 2019, the method used was a flat fee based on number of dwelling units (apartments, duplexes, basement apartment, number of offices, etc.). Dwelling units were used, as there are limited ways to determine a fair flat fee for all

Utility customers. This would be billed once annually in July with property taxes and due September 1st.

These are a few things to consider:

- Only billing once, a year, means that new or disconnected customers are not being added to the listing until the following tax year. This makes it hard to track how many customers are using the services, and to determine the demands on the sewer infrastructure.
- Hard to determine annual fee, as it requires internal inspections by Public Works to ensure billing accuracy and to determine the number of units within the building or address. This takes significant staff time to perform an annual review. In the former West Hants Community this was hard to determine from the road or curbside, which is why it requires an internal inspection of the residential or commercial building. This approach can reduce the overall accuracy in the billing information if units cannot be determined.
- Some charges under the former West Hants method were \$24,000 plus, which could impact some utility customers cash flows due to the short collection period.

This method would allow for guaranteed collections, through tax sale process but would require the Municipality to carry the sewer receivable for three years before collected. Increasing the overall receivable ratio of the Municipality, which creates more demand on the general funds to finance on-going sewer utility operations. This would also result in sewer capital debt servicing costs being added back onto property owners, which meant that any future capital purchase would require an individual breakdown to be added to the Sewer customer's property tax account.

To move forward with this method, staff would need to update the by-law to remove the Sewer Rebate, as it would no longer be applicable. Further, some utility customers have already performed the necessary 2nd meter installations.

As previously noted, the Windsor Sewer Utility has been operating under the same billing system since 2008. This mirrors the current method as administered to the West Hants sewer customers. If Council decides to revert back to the pre 2019 flat fee model for residents of the former West Hants Municipality, staff would also recommend that we update the Windsor Sewer By-law to reflect this change, to ensure uniformity among the sewer utilities.

Based on the transition to the current method with the Former West Hants, this change will take at least four months to implement at an estimated cost of \$8,000, plus consultant support and additional staff time to convert the utility accounts back to the property tax account. This will allow for the by-laws to go through the public hearing process, time for Council to review and set new rates, and to send two communications to go out to utility customers regarding the change.

We are unable to prepare an estimated fee per user, until we complete a sewer unit dwelling review.

NEXT STEPS

N/A

FINANCIAL IMPLICATIONS

No implications for 2020-2021.

ALTERNATIVES

1. Council could direct staff to proceed with converting the sewer charges back onto the property tax notices, but Council will need to indicate if this will impact the Windsor Sewer Utility.
2. Council could choose to wait till the rate study is completed in 2021-22

ATTACHMENTS

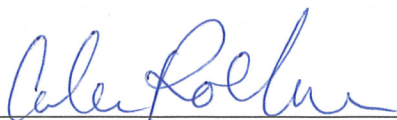
- West Hants Water and Sewer Rates Presentation – Gerry Isenor, November 27, 2018

CHIEF ADMINISTRATIVE OFFICER REVIEW

I have been fully engaged with Director Rochon in the drafting of this report. We are encouraging Council to reflect on the principles of the current rate system vs a flat rate system for sewer payments and billing. The report reflects on the historic principles and rationale for the change in the billing process.

- The decision made by the West Hants Council in 2019 was well supported and reflects a modern manner in which utilities and utility-like operations should bill their customers for services.
- The current system was supported by a study and promotes **fairness** and **accuracy**. If Council continues to reflect on fees and method of charges we request that Council discuss the principles of fairness and accuracy before providing further direction to staff as alternative flat fee structures require considerable staff time to review and present. If fairness and accuracy are the primary principles Council wish to satisfy, I would suggest the current model achieves that.
- Benefits resulting from change are having a more financially viable sewer operation (s) and less conflict and confusion that resulted from staff having to inspect buildings and make adjustments to services based on an annual billing cycle.
- The current billing system isolates any deficit that may be generated at the end of the fiscal year to the users and not the general taxpayer payer as was the case with the former system.
- Reverting to a flat fee system will create unfairness to those units who may be occupied by a single person or that have a low sewer usage. Consequently, the large family household or high sewer users will not be paying for the service they are using.

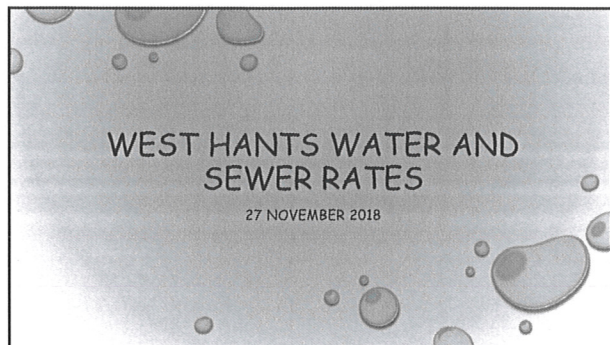
Report Prepared by:

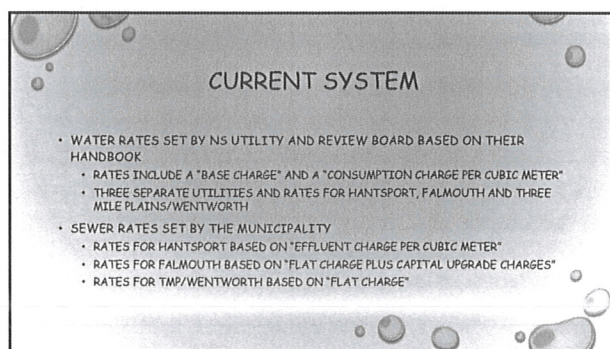


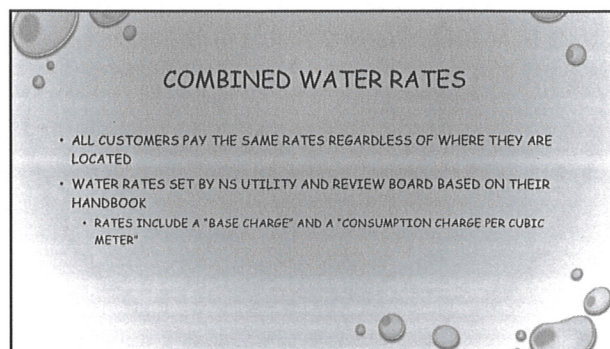
Carlee Rochon, Director of Financial Services

Report Reviewed by: 
Shelleena Thornton, Administrative Supervisor

Report Approved by: 
Mark Phillips, Chief Administrative Officer







COMBINED SEWER RATES

- ALL CUSTOMERS PAY THE SAME RATES REGARDLESS OF WHERE THEY ARE LOCATED
- SEWER RATES SET BASED ON A RATE MODEL TO HAVE CUSTOMERS PAY FOR THE SERVICE RECEIVED
 - RATES INCLUDE A 'BASE CHARGE' AND AN 'EFFLUENT CHARGE PER CUBIC METER' BASED ON THE AMOUNT OF WATER CONSUMED.

WATER RATE INPUTS

- ALL CALCULATIONS BASED ON COMBINING THE THREE EXISTING UTILITIES INTO A SINGLE "WEST HANTS WATER UTILITY"
- CAPITAL AND OPERATING BUDGETS PROVIDED BY STAFF
- PROJECTED YEARLY INCREASES BASED ON 3% OPERATING COST INCREASE PER YEAR
- FIRE PROTECTION RATE CALCULATED BASED ON UARB HANDBOOK
- BASE RATE AND CONSUMPTION RATE BASED ON UARB HANDBOOK

WATER RATES

- PROPOSED RATES FOUND ON WORKSHEET D-1 OF RATE STUDY (PAGE 29 WATER RATE STUDY)
- CURRENT RATES VARY BY LOCATION (HANTSPORT/FALMOUTH/THREE MILE PLAINS)
- DECREASED WATER RATES IN HANTSPORT AND THREE MILE PLAINS AND INCREASED RATES IN FALMOUTH

SEWER RATE INPUTS

- ALL CALCULATIONS BASED ON COMBINING THE THREE EXISTING SEWER SYSTEMS INTO A SINGLE SYSTEM
- CAPITAL AND OPERATING BUDGETS PROVIDED BY STAFF
- PROJECTED YEARLY OPERATING COSTS INCREASES BASED ON 3% INCREASE PER YEAR
- BASE RATE AND EFFLUENT RATES BASED ON CALCULATION SIMILAR TO WATER RATES

SEWER RATES

- PROPOSED RATES FOUND ON SUMMARY OF RATES WORKSHEET OF RATE STUDY (PAGES 14.25 AND 14.26 OF SEWER RATE STUDY)
- CURRENT RATES VARY BY LOCATION (HANTSPORT/FALMOUTH/THREE MILE PLAINS)
- INCREASED SEWER RATES IN HANTSPORT AND THREE MILE PLAINS AND DECREASED RATES IN FALMOUTH

COMPARISON COMBINED WATER AND SEWER

	Existing Water PLUS Separate Wastewater Systems 2018/19	Estimated Rates as Combined West Hants Water & Sewer
Hantsport	\$241.39	\$251.70
Falmouth	\$293.78	\$251.70
TMP/Wentworth	\$200.19	\$251.70



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: Committee of the Whole

Submitted by: Shelleena Thornton, Administrative Supervisor

Date: February 09, 2021

Subject: Ground Search and Rescue Funding – Recommendation Report

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA)

- Section 65 – Authorized Municipal Expenditures
- Section 65(C) – Grant Disclosure Policies
- Section 295 - Registration as emergency services provider
- Section 296 – Policies

West Hants Policy

- Fire and Emergency Service Policy, COGE-007.00

RECOMMENDATION

...that Committee of the Whole recommends to Council that West Hants Ground Search and Rescue be added as an independent line item under Protective Services within the annual Operating Budget.

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐
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West Hants Ground Search and Rescue has been in existence since 1977 and is located in Mount Denson, Hants County, Nova Scotia. Composition includes both long-serving members and new recruits (all with a variety of experience and backgrounds). The organization has

been active in searches for the local Search and Rescue zone as well as providing mutual aid for searches across the province as needed.

The Team owns and operates its own building which acts as a community center for the Mount Denson area. In normal (non-COVID) times there are weekly jam/music sessions and the monthly meeting of the Mount Denson Garden Club, along with many private groups/parties. It is also available as an emergency drop-in center, if needed.

The team actively trains and holds realistic and engaging training sessions two to three times a month in addition to having some members participate in provincial level training throughout the year at other locations. On a typical team training night, the team members may train in the base, practice in the woods below the base or the woods of the area or have a combination of the two. The team also meets the last Sunday of every month at the Base in Mt. Denson from 7:00 p.m. for administrative work and training.

At the January 12, 2021 Committee of the Whole meeting, a request was brought forward by Councillor Richard Murphy asking that the annual funding amount provided to West Hants Ground Search and Rescue (WHGSAR) continue; however, as an independent line item in the annual Operating Budget of the Municipality (which will circumvent the organization from having to apply annually through the Grant process).

Council directed staff to review how other Ground Search & Rescues are funded by other Municipalities in Nova Scotia.

DISCUSSION

Staff reached out to Nova Scotia Municipality's to learn of their funding process for Ground Search and Rescues. Below is a table of information received.

Ground Search & Rescues - Funding by NS Municipalities

Column1	Mun. County of Antigonish	County of Kings	Town of Barrington	Mun. of Shelburne	Mun. of County of Pictou	Mun. of East Hants	Mun. of Colchester	Mun. of Argyle
Mun. Funding?	yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Grant or Line-item in Operating Budget?	Grant	Line-item	Line-item	Grant	Grant	Grant (as independent line item)	Line-item	Grant
Frequency (if a grant)?	Annually	n/a	n/a	Annually	Annually	Annually	n/a	Annually
Funding amount (subject to change)	\$5,000	\$38,972 Op; \$15,500 Cap.	\$15,000	\$4,470	\$4,240	\$28,000	\$35,000 Op; \$11,000 (fleet, equip, bldg, liability ins, and personal private ins)	\$4,000
Registered "Emergency Service Provider" with the Municipality?	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Will be as they are likely move to a 'line-item'

To expand on the above table, it was noted by a couple of municipalities (Pictou and Argyle), that they will likely be switching from the annual grant application process to including Ground Search & Rescues as an independent line item within the Protective Services Operating Budget as long as they follow the Municipality's Emergency Services Provider policy (as per the Municipal Government Act). Further, it was noted that the Municipalities are aware their local Ground Search and Rescues also seek funding from additional sources (e.g. neighbouring municipalities).

A couple of other worthy notes to mention:

- even when identified as a line-item within the Grants section of the operating budget, all supporting financial documentation is still required, less the application.
- Should an emergency service provider seek funding with the *NS Emergency Services Provider Fund*, if not already aware, the Province contacts the Municipality to ensure the 'Provider' is registered with us because if they are not, that hinders their application.

Current West Hants Municipality Funding Process to WH GSAR

Grant Application

- Annual application providing (but not limited to):
 - Information about the Organization and contact information
 - Registry of Joint Stocks information
 - Project information/description and financial breakdown (applicable to grant request)
 - Type of grant applied for
 - Organization's commitment to specific principles
 - Financial Statements for previous year
 - Budget for current/following year
 - Must align with the Municipality's Grant Policy (specifically but not-inclusive, Section 5.3)

NEXT STEPS

Pending the direction of Council, some 'next step' considerations may include:

- **As a Grant:** WHGSAR continue to apply online for the Municipality's Grant Program at <https://www.westhants.ca/grants-and-contributions.html>, before February 11, 2021 and their application considered through the annual Grants Review Process.
- **As an annual line-item within the Grants section of the Operating Budget:** Should council wish to include WHGSAR as an independent line item within the "Grants" section of the Operating Budget, it would circumvent WHGSAR from applying annually; however, they would still have to provide the necessary financial information, etc. Further, it should be suggested that they also register with the Municipality as an *emergency services provider* which would still require them to follow West Hants's Fire and Emergency Service Policy, COGE-007.00 (more specifically (but not inclusive), Sections 7 & 8 of the Policy).
- **As an annual line-item within the Protective Services section of the Operating Budget:** Create an independent line-item within the Protective Services account in the upcoming 2021/22 Operating Budget. WHGSAR would be required to register as an Emergency Services Provider and provide all necessary information as identified in our

policy prior to April 1st of each year (more specifically (but not inclusive), Sections 7 & 8 of the Policy).

All of the above-mentioned steps are reviewed by Council each year during budget deliberations.

FINANCIAL IMPLICATIONS

Between 2016 – 2020, annual grant contributions have ranged from \$7,075.00 to \$8,500. Unless determined other wise by Council, a similar amount would remain in the Municipality's operating budget either as an annual Grant review or as a line-item within the annual operating budget under Grants or Protective Services. Should be noted that Section 5.3 of the Grants Policy identifies the maximum contribution to be \$7,500 for public safety grants.

If registered as an Emergency Service Provider through our Policy, the Municipality may receive capital requests which would require the Organization to also follow our Municipal Procurement and Tendering Policy RCOFN-003.00.

No matter the form of funding application, all methods are considered during budget deliberations each year and ultimately, a decision of Council.

ALTERNATIVES

- Status-quo (they apply annually as a Grant)
- Be added as annual line-item under "Grants" and not register as an Emergency Services Provider
- Be added as an annual line-item under "Grants" and still be required to register as an Emergency Services Provider

ATTACHMENTS

Fire and Emergency Services Policy COGE – 007.00

Grants and Contributions Policy RCOFN - 012.00

Report Prepared by:



Shelleena Thornton, Administrative Supervisor

Report Reviewed by:

Carlee Rochon, Director of Financial Services

Report Approved by:



Mark Phillips, CAO



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Fire and Emergency Service Policy

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POLICY

COGE-007.00

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1. Purpose Statement

The purpose of this Policy is:

- a) To establish requirements and procedures for Registration;
- b) To provide for an annual public meeting for Registered Fire Service providers;
- c) To establish a framework for accountability to Council from Registered Service Providers for the use of Municipal funds;
- d) To provide for other matters necessary and expedient for the provision of fire and emergency services, including:
 - (1) To establish a framework for determining appropriate levels of fire and non-fire emergency services throughout the Municipality of West Hants;
 - (2) To establish policies for setting minimum service standards for the delivery of fire and non-fire emergency services to a level which reasonably protects human life and well-being, property and the environment through education, leadership and effective response to emergencies, to the extent consistent with the Council's budgetary priorities;
 - (3) To create the framework by which the participating Service Providers and the Municipality can explore opportunities to standardize the delivery of fire and non-fire emergency services including fire prevention activities such as promoting awareness and providing education, and centralization of services and associated costs where it improves efficiency and effectiveness such as by purchase of bulk materials, sharing of specialized equipment and other means;

2. Applicability

This policy shall apply to all Service Providers providing fire and non-fire emergency services within the boundaries of West Hants.

3. Definitions

- a) "Active Volunteers" are defined as volunteers with a Registered Service Provider who maintain good standing by attending training, meetings and responding to calls, to the levels required by their respective Registered Service Provider bylaws, and, for greater certainty, includes volunteer first responders who assist with non-fire emergency services.
- b) "Capital Assets" means a non-financial asset with a value greater than \$2500 that is purchased, constructed or developed and



- (1) is held for use in the production or supply of goods and services, for rental to others, for administrative purposes or for the development, construction, maintenance or repair of other tangible capital assets;
 - (2) requires operating and maintenance expenditures and may need to be replaced in the future
 - (3) has a useful life extending beyond an accounting period;
 - (4) can be used on a continuing basis;
 - (5) and is not for sale in the ordinary course of operations.
- c) "Chief Administrative Officer" or "CAO" is the senior administrative official for the municipality, and includes any Municipal employee to whom the CAO delegates authority.
- d) "Fire Response and Emergency Services Provider" or "Service(s) Provider(s)" includes organizations which provide one or more fire response and/or non-fire emergency response services, including Mutual Aid Providers.
- e) "Mutual Aid Provider" means a Service Provider which may be called for assistance and support at the request of a Primary Service Provider, and includes both (a) Registered Service Providers providing services outside the zone and/or service type for which they are Registered as Primary Service Providers, and (b) Service Providers who are not Registered with the Municipality but who are called upon to attend an event in response to a mutual aid call.
- f) "Municipality" refers to the Municipality of the District of West Hants and its successors, and "Council" refers to that Municipality's Council.
- g) "Primary Fire Response and Emergency Services Provider" or "Primary Service Provider" means a fire response and emergency services provider which is intended to be called by emergency services dispatchers for the primary provision of a service or services in a defined zone within the Municipality of the District of West Hants, and to which Mutual Aid Providers are subordinate once the Primary Service Provider has arrived on the scene.
- h) "Registered" means registered by the Municipality of West Hants in accordance with Part X of the Municipal Government Act and the provisions of this Policy and "Registered Service Providers" excludes Mutual Aid Providers who are not registered as Primary Service Providers for any fire or emergency services in any zone of the Municipality.
- i) "Zone" or "fire zone" are geographically described areas of response located in the Municipality of the District of West Hants which have been formally assigned to a primary services provider.



- j) "Regional Services" means the collective efforts of Registered Service Providers and, by invitation, Service Providers in neighbouring areas, working in a collaborative environment for the planning against, preparing for, responding to and recovering from fire and other emergencies in an efficient and effective manner; and to pursue collectively, opportunities for the betterment of Active Volunteer Fire fighters.

4. Acknowledgement of Service

The Municipality of the District of West Hants acknowledges the dedicated and community minded services it receives through the provision of fire response and emergency services by volunteer fire departments and/or other volunteer entities.

5. Beneficial Ownership

- a) The Municipality has in the past funded operating and capital expenses for various Service Providers, including capital expenses for fire and/or other emergency services equipment ("Equipment"), and plans to continue to do so for its Registered Service Providers to the extent authorized from time to time by Council.
- b) In consideration of such funding, Registered Service Providers agree to acknowledge beneficial ownership, to the extent of the Municipality's capital funding contribution, of equipment funded in the past, present or future by the Municipality through the signing of the Beneficial Ownership Agreement, attached as Schedule 1, or such amended Agreement as may be specified from time to time by the Municipality as a condition for Registration.
- c) Use of Equipment for Non-Emergency Activities

Except as agreed to in writing by the Municipality, the use of equipment and apparatus funded in whole or in part by the Municipality is restricted to the emergency use within the Municipality and outside the Municipality as outlined in formal mutual aid agreements to which the Municipality has agreed in writing. Non-emergency use of such equipment and apparatus is restricted to Hants West and Mutual Aid Provider's areas for fund-raising, community events, and training activities. The Municipality's written permission must be given for movement of such equipment and apparatus outside of the Hants West and Mutual Aid Provider's boundaries except for responding to mutual aid calls, servicing needs, and for the sale or gift of such equipment or apparatus.

6. Governance and Oversight of Policy and Service

- a) The Municipality of the District of West Hants shall determine levels and standards of services to be provided to its residents through the operating and capital funding approval process



- b) The Chief Administrative Officer has oversight responsibility and will act as the liaison between the Municipality and the Registered Service Providers. The Chief Administrative Officer is responsible for monitoring and reporting upon the Municipality's receipt of services and standards to the level agreed to by all parties through the annual registration process, including the review of finances, call volume and method of responses, zone definition and service type definition, apparatus and equipment requirements, and other matters as they arise.
- c) The Municipality shall establish a Fire Chiefs Advisory Committee (FCAC), consisting of one representative from each Registered Service Provider, the CAO and if established the Fire Services and/or Emergency Coordinator. The purpose of the committee is to provide information and advice to Council on operational issues such as capital asset management, communications, planning, costs of service, impediments to efficient and effective service, and feedback on proposed amendments to this Policy, for consideration of Council.
- d) Each Registered Service Provider is responsible to deliver the services to the minimum standards accepted, and to:
 - (i) Reasonably protect and preserve human life and property from fire, threat of fire and/or other emergency to the best of its ability;
 - (ii) Promote and encourage fire prevention;
 - (iii) Through mutual aid agreements, support and assist other service providers.

7. Registration Process and Procedure

The Municipality shall register a Fire Response and Emergency Services Provider, with or without conditions, that complies with the requirements of the Municipal Government Act if:

- a) The Municipality is satisfied based on a review of the application that services being offered can be provided and the Municipality is willing to accept;
- b) It carries a minimum of \$5,000,000 in liability insurance for the vehicles it owns or operates and a minimum of \$5,000,000 in liability for insurance for claims brought against it for wrongful acts or omissions respecting the fire response and emergency services which it provides;
- c) It does not provide fire response and/or emergency services for profit;
- d) the Municipality does not otherwise provide or support others to provide the same primary service for the same zone unless the Municipality and two or more Service providers have expressly agreed to have overlapping primary service providers;



- e) It has completed and signed an application in the form provided by the Municipality (Schedule 2);
- f) It has provided a list of its Active Volunteers and their training record in a format acceptable to the Municipality (Example of format is provided in Schedule 2A);
- g) It has provided a schedule of mutual aid agreements with identification of approval details from the Municipality;
- h) In subsequent years, following initial acceptance of a Service Provider as a Registered Service Provider, the Service Provider must file an annual form, on a form suitable to the Municipality, outlining the services to be provided in the upcoming year, by April 1 of each year;
- i) Registration is effective upon receipt and signoff of the application form by the CAO or designate which shall be for the services outlined in the application form, up to the levels of services previously established by Council, unless amended by the Municipality during acceptance of the form and subject to any conditions imposed by the Municipality during the registration process. A copy of the signed unamended or amended application form shall be provided to the fire department on or before April 30th. In the event a Service Provider is dissatisfied with a decision of the CAO to refuse registration, or registration renewal, or to impose conditions or amendments upon the registration, the service provider may appeal to Council by written notice to the Municipality's Clerk given on or before May 15th of the same year; and
- j) In addition to any other just cause for revoking registration, non-compliance with any conditions of registration, or with the terms of this Policy, or failure or inability to perform the services to the standards established pursuant to this Policy or otherwise mandated by Council or other regulatory authorities shall be just cause for revocation of registration as a Service Provider, or for imposing additional conditions upon the registration.

8. Financial Matters

- a) Council, through the annual budgeting process, may provide capital and operating funding to Registered Service Providers following the submission of a budget request through the CAO who will review and forward to Council. Representatives from each Registered Service Provider shall attend budget meetings to inform Council of operational matters and answer questions regarding service response.

Registered Service Providers shall use all funds provided by the Municipality for services responsive to their registration as a service provider to the Municipality and not for other activities nor for services for other Municipalities except as authorized in writing by the CAO or Council.

Council may require proof of compliance with its policies before advancing any funds.

A budgetary allocation for funding shall be provisional in the event that the Registration process has not been completed as at the budget approval date.

- b) Operating Budget – Operating budget submissions shall be submitted within the time frame set by the Municipality and on a form suitable to the Municipality and include, at minimum:
 - (i) The actual or projected actual operating expenditures of the current budget period, categorized as determined by the Municipality;
 - (ii) The current year budget;
 - (iii) The proposed budget request;
 - (iv) A description supporting any significant (greater than 5%) change from the prior year.
- c) Operating deficits incurred at the end of a given year are to be included in the estimates of the next budget year unless otherwise provided for from reserves or other external sources.
- d) Capital Budget – Each Service Provider will file capital apparatus and equipment schedules on a form acceptable to the Municipality. The Municipality's acceptance of the form is not agreement or approval of projected capital expenditures in future years but a document to be used for planning purposes.

Each Registered Service Provider will provide an annual update of the capital apparatus and equipment schedules as part of the budget process.
- e) Emergency Funding – Council may provide funding outside of the annual budgeting process, upon request of the Registered Service Provider. Emergency funding normally would be considered only where the Registered Service Provider has experienced unexpected costs requiring immediate action by the Registered Service Provider.

A request for Emergency Funding must be made to the Chief Administrative Officer who will review the circumstances and make a recommendation to Council.
- f) Reserve Funds – Council may establish reserve fund (s) for fire and emergency purposes such as for the capital cost of equipment or apparatus and training, as recommended by the Director of Finance and accepted by Council. The Municipality, Registered Service Providers or both may hold the reserved funds which:



- (i) May be funded by operating surpluses or other funding sources, upon recommendation of the CAO and approval of Council.
 - (ii) Must be drawn down to offset operating deficits, as repayment in the current year, or else must be included in the budget estimates for the upcoming year.
 - (iii) May be used to fund the purchase of fire and emergency equipment or apparatus if the use of the reserve funds for that purpose is approved by the Municipality.
- g) It is a policy of the Municipality to use the most cost-effective method of funding for capital equipment and apparatus purchases at the best value and lowest cost to the Municipality, and all Registered Service Providers are required to conform to that policy.
- h) Council may, at its discretion grant or loan money or assets or guarantee loans for Registered Service Providers, subject to section 8(f) of this Policy.
- i) Financial Statements – Each Registered Service Provider shall provide to a review engagement standard, independently reviewed financial statements for the period April 1st to March 31st, in keeping with the approved budget period by July 31st of the new fiscal year. Registered Service Providers are encouraged to establish a fiscal year congruent with the Municipality, namely April 1st to March 31st.

Where the Municipality does require audited financial statements of a Service Provider, the Municipality shall pay the cost.

- j) Funds received through volunteer efforts, donations, bequests or endowments (intended specifically for the furthering of incorporated purposes) are not subject to the Municipality's determination of operating or capital budgets.

9. Procurement Practices

Except to the extent of any written waiver from the Municipality, any Registered Service Provider receiving funding of \$25,000 or higher from the Municipality of the District of West Hants for any single capital project must use a procurement practice which meets or exceeds those used by the Municipality. Service providers receiving funding agree to provide documentation of expenses or other financial information upon request.

Grants under the \$25,000 threshold for any single capital project will be evaluated on a per application basis. If deemed necessary for the nature of the project, the Registered Service Provider may be required by the Municipality to meet the minimum procurement standards of the Municipality.



10. Public Meeting Requirements

As under the Municipal Government Act, Section 296(2)(d), each Registered Services Provider shall hold an annual meeting within the zone for which it is registered as a Primary Service Provider to report to, and answer questions from, the public concerning the fire and non-fire emergency services for which they are registered to provide.

Notice of such annual meetings shall be advertised in the local newspaper, posted on appropriate social media sites and posted in at least three conspicuous places within the applicable zone. The annual public meeting may be held concurrently with the service provider's own annual meeting.

11. Training

The health and safety of volunteer Service Providers is very important to the Municipality. The Municipality will support minimum training levels for Active Volunteers, officers and chiefs to a qualified level and encourages training levels as outlined and amended from time to time by the Fire Services Association of Nova Scotia in conjunction with the Fire Marshall's Office of the Province of Nova Scotia. Registered Service Providers agree to train volunteers to this minimum level.

At no time will a Service Provider knowingly place a volunteer in a position for which he or she is not qualified or competent to act with an appropriate level of skill, fitness, training and judgement. The Municipality acknowledges the likelihood of fluctuations in training budgets due to attrition of volunteer members. Service Providers acknowledge that the annual funding levels in place at the time of adoption of this Policy includes sufficient funding for a volunteer attrition or turnover rate of 10%.

12. Mutual Aid Agreements

- a) The Municipality of the District of West Hants acknowledges mutual aid or support services provided by or to Registered Services Providers who have signed a Mutual Aid Agreement approved by the Municipality. The Municipality of the District of West Hants authorizes Primary Service Providers to request and obtain assistance where reasonably necessary from other Service Providers which are lawfully authorized Primary Service Providers in other geographic areas, municipal units or jurisdictions provided that a Mutual Aid Agreement is in force, or with written approval by the Municipality in response to an *ad hoc* request.
- b) Notwithstanding any other provision herein, the Municipality adopts as a mutual aid agreement of the Municipality of the District of West Hants for the purposes of s.302 of the Municipal Government Act:
 - (i) Each standing mutual aid agreement entered into by a Registered Service Provider with Municipality's approval;



- (ii) Each *ad hoc* request made by a Registered Service Provider for assistance at fires, rescues and other emergencies which results in another Service Provider responding to the event; and
 - (iii) Each *ad hoc* request made to a Registered Service Provider for assistance at fires, rescues and other emergencies which results in a Registered Service Provider responding or attempting to respond to the event.
- c) Nothing in this Policy authorizes a Primary Service Provider to obligate or purport to obligate the Municipality of the District of West Hants to make cash payments for aid or assistance received from other Service Providers or to require or take cash payments for aid or assistance given to other Service Providers.

13. Service Levels

In this section, the Municipality sets out the minimum service level standards acceptable through the registration process for the specified activity and zone. Where the Municipality or a Registered Service Provider does not currently meet the minimum service standard, Council will endeavor to provide funding, as budgetary limitations allow, to bring the service up to the level adopted under this Policy and/or to create additional service for West Hants.

Medical and Emergency Medical Response

The Municipality recognizes that the provision of medical and emergency medical services is the responsibility of the Province of Nova Scotia. Funding provided to Registered Service Providers is not an admission of responsibility for medical services within the jurisdiction of West Hants, nor is it a commitment to continue funding this service from year to year. For purposes of establishing medical services levels accepted by West Hants the guideline as set out in Schedule 3 will be applied.

Fire and Rescue Services

The Municipality adopts the Minimum Service Level Standards described in the Table below for fire and rescue services.

For purposes of establishing service standards, a "Serviced" area is defined as a geographic area of the Municipality served by hydrant fire protection. An "Unserviced" area is defined as a geographic area which is not served by hydrant fire protection.

Minimum Service Level Standards Table:

Minimum Service and Level Standards ▾	Per Station ▾	Per Station2 ▾	Per Region ▾	Outside Support ▾
	Serviced	Unserviced		
Fire - Structure	yes	yes		
Fire - Defensive	yes	yes		
Medical - Reg First Responder (level 4)		yes		
Medical - Medical Assistance (level 1-3,5,6)	yes			
Veh Rescue-Technician	NA	NA		
Veh Rescue Operational	yes	yes		
Veh Rescue Awareness	NA	NA		
Water Rescue - Technician	NA	NA		
Water Rescue Operational	yes	yes		
Water Rescue Awareness	yes	yes		
Ice Rescue Technician	NA	NA		
Ice Rescue Operational	yes	yes		
Ice Rescue Awareness	yes	yes		
Structural/Excavation Collapse Technician				
Structural/Excavation Collapse Operational			1	HRM
Structural/Excavation Collapse Awareness	NA	NA		
High Angle Rescue Technician			1	1
Hig Angle Rescue Operational			1	
High Angle Rescue Awareness	NA	NA	1	
Hax Mat Technician				1
Haz Mat Operational	yes	yes	1	
Haz Mat Awareness	NA	NA		
Ground Search and Rescue Provider	no	no		
Ground Search and Rescue Assistance	yes	yes		

14. General Service (or Operating) Guidelines

- a) The Municipality and Registered Service Providers recognize the fundamental principle that each Registered Service Provider and volunteer will, to the best of their ability and judgment, refrain from undertaking any activity unless the benefit of the activity appears at the time to outweigh the risks of the activity, including any risks arising from deficiencies or limitations of trained personnel, command/management expertise and equipment available at the site.
- b) The Municipality and Registered Service Providers acknowledge the operational response protocol to be used within West Hants as the Incident Command System (ICS) which is a standard on site management system designed to enable effective, efficient incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure. Registered Service Providers agree

to develop operational guidelines that allow for the safe and efficient operation of their own department during emergency and day to day operations which complements the ICS. Once established, the authority to deviate from the established guidelines rests with the Incident Commander who is solely responsible for the results of the deviation.

- c) The operational practices and guidelines established by each Registered Service Provider shall attempt to meet or exceed National Fire Protection Association (NFPA) standards, Maritime Fire Chiefs Association, the Office of the Fire Marshal, Provincial laws, and recognized fire fighting and emergency response practices.
- d) Alternatively, Registered Services Providers may choose to establish one uniform operational guideline to apply across the Municipality which shall meet the principles outlined in this Section.

15. Automatic Aid Protocols

Call Response Standards

The Municipality hereby adopts an automatic aid protocol based on closest available service provider to a call within a travel-distance of 3 km for commercial/industrial areas, 5 km to a primarily residential serviced areas and 8 km for unserved areas. Numbers and type of equipment called out will be based on the nature or type of call. The first Registered Service Provider to be called is the Registered Service Provider closest to the call, with the subsequent service providers called in order of closeness to the call location.

Automatic Aid protocols, as established by the Registered Service Providers, for the dispatching of additional resources outside of a Registered Service Provider's own department will be designed in the most efficient and effective manner for the service levels accepted by the Municipality and will consider availability of sufficient first responders to meet:

- a) Service Delivery level and standard – Activation response times for nature of emergency based on time of day, day of week, etc.
- b) Specialized equipment and training outside of departments' registered service level.
- c) Additional resources necessary to respond to expected or observed conditions including onsite, environmental and geography.
- d) Ability of communications/dispatcher to meet protocol requirements.



16. Personal Protection Equipment

- a) Following appropriate orientation, probationary period and training, each Active Volunteer will be outfitted with the appropriate Personal Protection Equipment sufficient for the duties for the services provided, and which will be replaced on an "as needed" basis.
- b) Active Volunteers are responsible for the proper care and keeping of fire fighting equipment provided to them until they retire or resign from the fire department.

17. Apparatus right sizing for the region- local availability

The Municipality reserves the right to adopt a fire services capital asset management strategy for future needs of fire apparatus and operational support equipment which may be scheduled for replacement, in responding to and mitigating fire and emergency incidents. The development and adoption of a fire services capital asset management strategy will consider best practices in fire protection which considers, for example:

- Operational performance
- Fire Service Delivery objectives
- Water Supply
- Automatic Aid, mutual aid and service agreements
- Emergency call volumes and types of incidents
- Existing apparatus inventory

The Municipality will consult with the Fire Chiefs Advisory Committee in the development of a fire services capital asset management strategy prior to adoption.

18. Facility/building – right sizing

The Municipality will provide operating and capital funding for fire station costs proportionate to the support of services accepted by and delivered to the Municipality.

19. Honorarium

An honorarium is a voluntary payment that is given to an Active Volunteer for services for which fees are not legally required.

- a) The Municipality shall establish and fund annual honorarium budgets for each Registered Service Provider. The method of distribution of a Registered Service Provider's annual honorarium allotment shall be established by the Registered Service Provider, who may, based on funds from sources other than the Municipality being available to fund it, award an honorarium greater than the total value of the amount awarded by Council.



- b) Registered Service Providers agree to comply with all applicable income tax requirements in the distribution of the honorarium to individual personnel.

20. Custodial and Fire Support

The Municipality acknowledges that the services provided by Active Volunteers in response to fire and emergency events takes them away from their families, friends and sometimes their jobs. Maintenance and care of the fire equipment and apparatus following its use is critical to the health and safety of the volunteers who use the asset, as well as the longevity of the asset.

- a) The Municipality will provide funding for some custodial/fire support positions. The role of the Custodial and Fire Support position is defined in Schedule 4.
- b) The Municipality is committed to efficiency and effectiveness in all the services it provides. Therefore, the pooling of custodial resources and services is an expectation of Registered Service Providers, where feasible.
- c) Nothing in this section is intended to relieve Active Volunteers from taking reasonable care of equipment, apparatus, and personal protection equipment and clothing.

21. Motor Vehicle Safety

Registered Service Providers agree to comply with all federal, provincial and municipal regulations with respect to vehicle apparatus usage, registration, insurance and maintenance.

Active Volunteers will comply with all regulations pertaining to the operation of emergency vehicles/equipment and apparatus on highways as defined in the *Motor Vehicle Act* and, specifically, will stop at all stop signs and obey all traffic control signals when responding to a call, and only continue when it is safe to do so.

Registered Service Providers may adopt more stringent operational standards and specifications that exceed the *Motor Vehicle Act* and Regulations, but such additional standards and specifications must not conflict with the *Motor Vehicle Act* and Regulations.

22. Volunteer Complement

The Municipality recognizes and agrees to support up to the maximum complement of trained Active Volunteers for the services accepted, as determined in Schedule 5, as of the adoption of this Policy. Changes in volunteer complement may be considered periodically, including changes arising from changes in fire zone boundaries.

23. Municipal Fire Zones

The Municipality, through the Fire Chiefs' Advisory Committee will review existing fire zones and confirm or amend fire zones at least once every five years. More frequent review may occur where significant changes occur before the next scheduled review.

24. Disputes with Interpretation of this Policy

Any dispute, controversy or claim between the Municipality and a Registered Service Provider, or between two or more Registered Service Providers regarding the interpretation or application of this Policy will first be discussed between the parties in an effort to find an amicable solution.

If over a period of up to 60 days direct discussions between the parties the dispute is not resolved, it shall be the subject of mediation (if agreed to between the parties) and/or arbitration by a single Arbitrator, consensually selected or appointed by the Nova Scotia Supreme Court in the absence of consent, without right of appeal on questions of fact or law or mixed fact and law, with jurisdiction of the Arbitrator to determine procedural and jurisdictional issues and otherwise conforming with the *Commercial Arbitration Act* or successor legislation. By applying for Registration under Part X of the Municipal Government Act, and by the Municipality's Registration of a service provider, Service Providers and the Municipality mutually acknowledge that this clause constitutes an arbitration agreement precluding access to the Courts prior to Arbitration.

25. Limitation Period

Any decisions or actions taken by the Municipality pursuant to this Policy, including registration, conditional registration, suspension or revocation of registration, may be discussed with the Municipality for a period of 30 days and after which shall be deemed final and beyond dispute unless Notice of Arbitration is served within 60 days of receiving notice of the impugned decision or action.

26. Morals Clause

Registered Service Providers and its members shall not commit any act or do any thing which might reasonably be considered: (i) to be immoral, deceptive, scandalous or obscene; or (ii) to injure, tarnish, damage or otherwise negatively affect the reputation and goodwill associated with the Municipality of West Hants.

27. Internal Disciplinary Matters

Registered Service Providers are responsible for dealing with disciplinary matters regarding their Active Volunteers and their officers. The Municipality shall not be a party to a dispute between a Registered Service Provider and its members or officers for discipline, seniority, promotion or entitlement to individual honorariums for volunteers, nor to any dispute between members or between members and officers or between officers. Nor shall any funding provided by the Municipality be used by a



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Registered Service provider to hire legal counsel or other professionals to deal with such matters, except with the express written permission of the Municipality.



Schedule 1 – Beneficial Ownership Agreement

Between:

Municipality of the District of West Hants ("the Municipality")

-and-

XX Department ("Fire Service Provider")

Beneficial Ownership Agreement

Whereas the Municipality has funded operating expenses of the Fire Service Provider and capital expenses for the Fire Service Provider, including capital expenses for fire and/or other emergency services equipment ("Equipment") and plans to continue to do so as authorized from time to time by its Council;

Whereas in consideration of such funding, Fire Service Provider agrees to acknowledge beneficial ownership of equipment funded in the past, present or future by the Municipality as provided for herein;

NOW THEREFORE IT IS AGREED:

1. Fire Services Provider acknowledges that capital funding for Equipment has been and is being prospectively provided by the Municipality so that the Equipment will be available for use of the Fire Service Provider and other Fire Departments in providing fire and/or other emergency services to the Municipality.
2. Fire Services Provider acknowledges that while it shall continue to be the legal owner of the Equipment, the Municipality is a beneficial owner of all the Equipment owned by the Fire Services Provider in proportion to its funding contribution (if other municipal units or donors have or will contribute), notwithstanding that its use shall be under the control and direction of Fire Services Provider, and shall be maintained, insured and fitted-out by Fire Services Provider, for as long as Fire Services Provider uses it as a fire and/or other emergency services responder for the Municipality.
3. In the event that Fire Services Provider ceases for any reason to continue to provide fire and/or other emergency services for the Municipality, Fire Services Provider shall execute any documents reasonably requested by the Municipality for the legal title to the Equipment to be transferred to the Municipality, should the Municipality have provided the majority (51%) of the capital funding for the Equipment. If the Municipality has provided less than the majority of the capital funding for the Equipment, then the Fire Service Provider shall submit to the Municipality the greater



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of the book value or sale value received for the Equipment which will be proportionate to the capital funding provided by the Municipality.

4. In the event the Equipment becomes obsolete or surplus, Fire Services provider shall consult with the Municipality regarding its disposition and the use of any proceeds of disposition, should the Municipality have provided the majority of capital funding for the equipment.
5. Should the Municipality have provided the majority of capital funding, Fire Services Provider shall maintain insurance for the Equipment and shall have the Municipality named as an additional named insured in the Equipment's insurance policy or provide other coverage satisfactory to the Municipality to protect its property and liability interests, and shall provide proof of coverage to the Municipality upon request from time to time.

DATED at _____, Nova Scotia, this _____ day of XX, 20XX.

Municipality of the District of West Hants

Witness

Per: _____

XX Fire Department

Witness

Per: _____



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Schedule 2 – Service Registration Form

Application for Registration as a Fire Department or Emergency Provider
under the Municipal Government Act

Municipal Unit: _____

Department Name: _____

Contact/Address: _____

Incorporated body under: _____

Required Insurance Held: _____

Communities or areas protected by this Registration: _____

Please indicate the service that the department will endeavor to provide and the level of service by placing an X in the appropriate box.

	Structural	Defensive		N/A
1. Fire and Fire Related Emergencies	☐	☐		☐
	Registered First Responder	Medical Assistance		N/A
2. Medical Emergencies	☐	☐		☐
	Technician	Operational	Awareness	N/A
3. Vehicle Rescue	☐	☐	☐	☐
4. Water Rescue	☐	☐	☐	☐
5. Ice Rescue	☐	☐	☐	☐
6. Structural/Excavation Collapse	☐	☐	☐	☐
7. High Angle Rescue	☐	☐	☐	☐



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	Technician	Operational	Awareness	N/A
8. Hazardous Material	☐	☐	☐	☐
	Provider	Assistance		N/A
9. Ground Search and Rescue	☐	☐	☐	☐
10. Other: Man made and natural disasters for which the service has the training, equipment and command system to undertake.				

Please refer to the "Evaluation of Services Provided and Level of Service Information" attached in Appendix A, in answering the following questions.

11. Are there limits on the level of service that will be provided in respect to any of the services checked above? If so, please indicate:
12. Does the department have the equipment to perform the services checked?
13. Does the department have the training or experience necessary to perform the services checked above?

Date: _____

Signature of Department Representative

Signature of Municipal Representative



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Signature of Related Body Representative
(such as rural fire district, Town, village, if
applicable)

Please Note: Explanation of the terminology used in this registration form is provided in the attached message from the Fire Marshal (Appendix A). To register, a department must be incorporated and hold any valid liability insurance that is required by Municipal policy. The department must operate on a not-for-profit basis. The registration does not make the department an agent of the Municipality. This registration may be modified by notifying the Municipality thirty (30) days in advance. The Municipality may revoke this registration for cause.

**APPENDIX A****Evaluation of Services Provided and Level of Service for Use with Application for Registration as a Fire Department or Emergency Services Provider under the Municipal Government Act**

Information from the Office of the Fire Marshal

The registration of a fire department or emergency services provider is a replacement for the fire ward system. The process recognizes that fire departments may carry on a wider variety of services than under the previous Act.

The following is a direct quote from National Fire Protection Association Standard 1500:

Spelling out the specific parameters of services to be provided allows fire department to plan, staff, equip, train and deploy members to perform these duties. It also gives the governing body an accounting of the costs of services and allows it to select those services they can afford to provide. Likewise, the governing body should identify services it cannot afford to provide and that it cannot register the department to deliver.

There are a number of fire departments who have expressed concern that they could be prevented from attending at emergencies in their communities. The registration should not therefore be an all or nothing situation. The responding department may not have the training, equipment or command system to fully handle the situation. The department may, however, be able to provide assistance to the victims until more qualified help does arrive. This level of service can be indicated upon registering, in a letter form or on the registration form, by a note indicating a limit on the level of service to be provided, or by a note stating what, in the definitions provided below will not be provided.

To assist the fire service and the municipal units, the Office of the Fire Marshal has developed a registration form that includes a check list for services and level of abilities. This check list was developed with the assistance of the Fire Officers Association directors. The use of this form is not compulsory. Each municipality may develop its own registration process in accordance with the *Municipal Government Act*, although it is noted that it is the desire of the fire service advisory group that there should be one common system rather than 55.

The Office of the Fire Marshal will not be evaluating the fire departments; the registration process is between the municipality and the fire department.

The standards selected are from the National Fire Protection Association 1500 standard for Firefighter Occupational Health and Safety. The key to this standard is that, "no activity is undertaken unless the benefit outweighs the risk", for example, items such as a minimum four-person crew for interior attack should be followed except where a rescue of someone inside the building is possible. The NFPA 1500 document should be the corner stone upon which each fire department attempts to meet the highest standard of safety. There are sections such as physical fitness requirements and recruiting that may require a different approach by the fire department.

Definitions of Terms Used in the Registration Form

1. Fire and Fire Related Emergencies

- a. **Structural:** means the activities of rescue, fire suppression, and property conservation in buildings, enclosed structures, vehicles, vessels, or like properties that are involved in a fire or emergency situation. Departments should have firefighters trained to NFPA 1001, protective personal equipment, down alarms, accountability system, adequate water supply, pumping capacity and an incident command system. Departments should also have the proper training and protective clothing for wild land fires in accordance with the Department of Natural Resources' provincial standard. Shipboard firefighting, if provided, should be carried out following the NFAP standard 1405 1996 Edition Guide for Land Based Fire Fighters Who Respond to Marine Vessel Fires. Protection of Aircraft at airports by volunteers, if provided, should be in accordance with Transport Canada guidelines.
- b. **Defensive:** means actions that are intended to control a fire by limiting its spread to a defined area, avoiding the commitment of personnel and equipment to dangerous areas. Defensive operations are generally performed from the exterior of structure and are based on a determination that the risk to personnel exceeds the potential benefits of offensive actions. Fire departments without the ability to carry out structural firefighting may register as providing property protection through defensive strategies. Rescue may be undertaken if the benefit warrants the risk. Departments should have proper training and protective clothing for wild land fires in accordance with the Department of Natural Resources' provincial standard.
- c. **N/A:** means the department does not respond to these calls.

2. Medical Emergencies: response to known medical emergencies

- a. **Registered First Responder:** means responders registered with the Department of Health through EHS first responder program and responds to medical calls or provide medical assistance at the scene of an incident.
- b. **Medical Assistance:** means responders who have standard or emergency first aid and respond to medical emergencies or provide medical assistance at a response incident. Equipment includes a first aid kit.

3. to 7. The following terminology is used in respect to vehicle rescue, water rescue, ice rescue, structural/excavation collapse and high angle rescue:

These activities should be carried out in accordance with NFPA 1670 Standard for Rescue, 1999. Generally, these terms mean:

Technician: First responders at the technician level are those persons who respond, as either initial call out or as a mutual aid response to contain and



control the incident. The level of service usually will provide a high degree of intervention.

Operations: First responders at the operations level are those persons who respond as the initial response to an incident for the purpose of protecting nearby persons, the environment, or property from the effects of the incident. First responders at the operations level are expected to respond in a defensive fashion to control, prevent a worsening of the incident and provide services within their capabilities.

Awareness: First responders at the awareness level are those persons who, in the course of their normal duties, could be the first on the scene of an emergency. First responders at the awareness level are expected to recognize the situation, call for trained personnel, secure the area and provide minimum intervention.

Refer to Standard 1670, but, for example, these terms mean:

3. **Vehicle Rescue:** means removal of victims from a vehicle following an accident. This may require elaborate or simple tools and knowledge depending on the incident. The first responder should be aware of the departments abilities and when it is necessary to request a higher level of service.
 - a. **Technician:** properly maintain complete set of heavy hydraulic extrication equipment and associated spreaders, cutters, rams, chains, cribbing etc. and trained as a team to use the equipment, recognize hazards and protect the victim.
 - b. **Operations:** properly maintained hand tools, manual hydraulic tools, air tools and trained as a team to use the equipment, recognize hazards and protect the victim.
 - c. **Awareness:** does not have the equipment for extrication but does respond to motor vehicle accidents.
4. **Water Rescue:** means rescue of individuals from rivers, lakes, ponds, and may include body retrieval.
 - a. **Technician:** survival suits, water rescue kit, if diving is provided – appropriate equipment for conditions, a boat including life jackets. Training to a level for the service provided, either surface or diving. Ropes and other similar equipment should meet NFPA 1983 Standard on Fire Life Safety Rope and System Components 1995 Edition.
 - b. **Operations:** approved life jackets for each rescuer, throw ropes, life ring with rope, a boat. Training should include boating safety. Ropes and other similar equipment should meet NFPA 1983 Standard on Fire Service Life Safety Rope and System Components 1995 Edition.



- c. **Awareness:** responds but does not have the equipment or training.
5. **Ice Rescue:** Rescue of individuals from extremely cold water or ice.
- a. **Technician:** full ice rescue kit including floatation suit and ice board or equivalent. Training for cold water rescue. Ropes and other similar equipment should meet NFPA 1983 Standard on Fire Service Life Safety Rope and System Components 1995 Edition.
 - b. **Operations:** approved life jackets for each rescuer, throw ropes, life ring with rope. Trained respecting safety of rescuer and victim. Ropes and other similar equipment should meet NFPA 1983 Standard on Fire Service Life Safety Rope and System Components 1995 Edition.
 - c. **Awareness:** responds but does not have the equipment or training.
6. **Structural/Excavation Collapse:** rescue of persons for collapsed ditches, etc. or collapsed structures. There are five levels of service – each department should examine the document to determine their own level of ability.
- a. **Technician:** providing this service should meet the full requirements of NFPA 1670.
 - b. **Operations:** provides a medium level of service in accordance to NFPA 1670.
 - c. **Awareness:** assists visible victims; prevents further collapse.
7. **High Angle Rescue:** Rescue of persons from building faces, cliffs trees or other locations where individuals must be lowered or raised by the rescuer.
- a. **Technician:** equipment recommended by and training provided by a recognized high angle rescue organization.
 - b. **Operations:** Ropes and other similar equipment should meet NFPA Standard, gloves, protective clothing required for the particular incident. Training on knot tying.
 - c. **Awareness:** secures the scene, stabilizes the incident.
8. **Hazardous Material:** Response to chemical incidents. All levels should be in accordance with NFPA 472 1997 Edition Standard on Professional Competence of Responders to Hazardous Materials Incidents. Fuel spills such as oil, gas and diesel may be handled by all three levels if the spill is minor and stabilized. The important fact is knowing the departments limitations.
- a. **Technician:** hazardous materials technicians are those persons who respond to releases or potential releases of hazardous materials for the purpose of



controlling the release. Hazardous materials technicians are expected to use specialized chemical protective clothing and specialized control equipment.

- b. **Operations:** first responders at the operations level are expected to respond in a defensive fashion to control the release from a safe distance and keep it from spreading.
 - c. **Awareness:** first responders at the awareness level are those persons who, in the course of their normal duties, could be the first on the scene of an emergency involving hazardous materials. First responders at the awareness level are expected to recognize the presence of hazardous materials, protect themselves, call for trained personnel and secure the area.
9. **Ground Search and Rescue:** self-explanatory
- a. **Provider:** meets the Nova Scotia Emergency Measures Organization's provincial standard for SAR teams.
 - b. **Assistance:** members are under control of a SAR team.

**Schedule 3 – Medical Service Levels**

Medical Response	Level	Description of Service Response
Medical Assistance	1	Do not Notify for medical calls. First Responder for Vehicle Fires
Medical Assistance	2	Only notify if requested by paramedics
Medical Assistance	3	Notify for "Time Critical" Emergency calls as determined by EHS
Medical Registered First Responder	4	Notify for all emergency calls
Medical Assistance	5	Notify for cardiac arrests, motor vehicle collisions and lift assists only.
Medical Assistance	6	Notify if requested by paramedics for all cardiac arrests and motor vehicle collisions

**Schedule 4– Role of Custodial and Fire Support Position****Purpose**

The purpose of the Fire Department Custodian (Custodian) is anticipated to be a paid position to provide for the cleaning and maintenance of fire department facilities, equipment and apparatus, to ensure the health and safety of volunteers after its use. The Fire Department Custodian may also be of assistance by ensuring a qualified operator is available during working hours.

Position Summary

The Custodian will be responsible for the operation and maintenance of fire apparatus and facilities, under the supervision of the Fire Chief or Executive Committee. Responsibilities may include janitorial, carpentry, painting and light mechanical functions. Hours of work are dependent on need of the Fire Department and may range from 16 to 40 hours per week.

Expectations

1. Keep the fire station clean inside and out, including all rooms in the fire station, associated kitchens and reception halls (as required). Maintenance outside may include but is not limited to mowing, snow removal, and salting.
2. Cleaning and maintenance of fire apparatus and equipment after a fire call.
3. Set up fire station for all functions requested.
4. Respond to emergency calls by being qualified to drive and operate equipment and apparatus and acting as Incident Commander at emergency sites until a senior officer relieves them of duty.
5. Obtain sufficient knowledge of radio and communication equipment.
6. Willing to work with all members of the Fire Department including training with and providing assistance to training staff.
7. Maintain suitable training and licensing certification levels to ensure proper and safe operation of equipment and apparatus, and maintenance thereof.
8. Report suggestions or improvement to the Fire Chief or Executive Committee.
9. Perform any other duty as assigned by the Fire Chief or Executive Committee.



Schedule 5 – Maximum Complement of Trained Service Providers

Station Complement	Total Maximum
Brooklyn 1	60
Brooklyn 2	40
Hantsport	50
Southwest Hants	20
Summerville	46
Mt. Uniacke	45
Walton	60
Windsor	50
Totals	371

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the Policy as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the 9th day of **October, 2018**.

R. N. Brown
Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	October 2, 2018
<i>Approval:</i>	October 9, 2018
<i>Description: Initial approval of Fire and Emergency Service Policy COGE-007.00.</i>	

GRANTS AND CONTRIBUTIONS POLICY

1.0 PURPOSE

The West Hants Regional Municipality wishes to recognize the valuable contributions provided through the volunteer efforts of community organizations and agencies on behalf of its residents. This policy demonstrates and formalizes Council's commitment to assist organizations which provide beneficial programs, services or projects to the community while, at the same time, recognizing the financial constraints affecting the Municipality's ability to provide funding to these groups.

This policy will establish eligibility requirements, identify types of funding available, explain how this is established each year and outline application, monitoring and reporting requirements. Application forms and guidelines will be developed by the Administration in support of the policy intent.

2.0 POLICY OBJECTIVE

The objective of this policy is to treat all organizations fairly, equitably and reasonably, within the parameters established by Council as follows:

- a) Youth development
- b) Senior support and services
- c) Public safety
- d) Provincial events
- e) Heritage and Culture

On an annual basis Council will determine the amount of funding during the budget process.

3.0 AUTHORITY

Authority is provided under Section 65, Municipal Government Act, as amended. The total of the amounts paid for grants in a fiscal years' operating budget will not normally exceed one percent of the taxes for general municipal purposes levied by the municipality.

4.0 ORGANIZATIONAL ELIGIBILITY

Pursuant to Section 65 of the *Municipal Government Act*, grants or contributions may be expended where required by the Municipality to:

- a society within the meaning of the Children and Family Services Act,
- a mental health clinic in receipt of financial assistance from the Province,
- an exhibition held by an educational institution in the

GRANTS AND CONTRIBUTIONS POLICY

Municipality,

- a club, association or exhibition within the meaning of the Agriculture and Marketing Act,
- any charitable, nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within the Province
- a day care licensed under the Day Care Act,
- a registered Canadian charitable organization,
- a volunteer fire and emergency services providers, as defined in Municipal Government Act, who are registered with the Municipality.

Heritage Property Act

Heritage designated properties within the boundaries of the West Hants Regional Municipality may be eligible for municipal grants and contributions not included within this policy.

5.0 TYPES OF GRANTS OR CONTRIBUTIONS AND MAXIMUM FUNDING ALLOCATION

Grants are generally provided in the form of funds, while contributions may be through in-kind support using municipal resources, both tied to a specific outcome. Both sources of support must be reported annually by the Municipality, as is required by legislation. Council has the authority to fund projects outside of the maximum approved funding allocations stated in this Policy.

5.1 Operating grant – Maximum contribution \$1,500

- Operating funding for not-for-profit community groups to assist with general operating expenses, including administrative costs and program related expenses.

5.2 Community Capital Project grant Maximum contribution \$2,500

- To provide assistance for the expansion or improvement of an indoor or outdoor cultural, social, heritage and recreation facilities and/or equipment for projects under \$2,500. *Funding will not be granted to purchasing recreation equipment that the Municipality can reasonably expect individuals or groups to buy for themselves.*
- A separate agreement may be required depending on the nature and value of the asset for which the funds are provided.

5.3 Public Safety Grants – Maximum contribution of \$7,500, up to the amount set in the fiscal operating budget.

GRANTS AND CONTRIBUTIONS POLICY

- Grants under this category are for non-profit organizations registered with the Municipality that provided or ensure public or community safety.
- 5.4 Community Recreation Program grant – Maximum contribution \$1,000
- Recurring community recreation programs which Council has determined provide significant benefit to the broad community and are open to all members of the public.
 - Assistance provided to groups interested in the creation, expansion and improvement or recreational opportunities in their communities.
- 5.5 Community Event grant – Maximum contribution \$1,000
- Community Events that are of a cultural, social or recreational significance to the community.
- 5.6 Special Events Operations & Promotion grant – Maximum contribution \$5,000
- To provide assistance for special events operations and promotions that will see participants and spectators attend from outside the West Hants Regional Municipality. This funding will support events that foster good community relations, support culture, develop the local economy and tourism industry and enrich the quality of life for residents and visitors.
- 5.7 Leadership grant – Maximum contribution - \$1,000
Grants available for recreation groups
- Seeking help to provide supervision and leadership to implement a program.
 - Wanting to have representatives attend leadership training that will improve the function of the group or the quality of leadership.
- 5.8 Sponsorship Advertising/Donation of Prizes Requests – Maximum contribution per organization per year \$100. - Grants will only be awarded to the extent the current fiscal budget permits.
- To provide assistance for advertising to local not-for-profit organizations for projects, events or initiatives that benefit residents and are within the mandate of the Municipality.
- 5.9 Youth Travel Assistance – Maximum Contribution Limits apply – Grants will only be awarded to the extent that the current fiscal budget permits.
- The Youth Travel Assistance Grant Program applies to residents of the West Hants Regional Municipality, 22 years of age or under, involved in non-profit minor sports or cultural activities, who have qualified to compete in sport championships/cultural events.

GRANTS AND CONTRIBUTIONS POLICY

5.10 Community Trail Funding Program – Maximum contribution - \$2,500

- The trail funding program supports community organizations in the maintenance and development of trails for public use.

5.11 Major Capital Project grant

- To provide assistance for the expansion or improvement of an indoor or outdoor cultural, social, heritage and recreation facilities and/or equipment for capital projects
- A separate agreement may be required depending on the nature and value of the asset for which the funds are provided.
- Depending on the funding source identified by staff, additional requirements may be necessary to maintain eligibility.
 - Gas Tax funding requirements:
 - Agreement to abide by the Municipal agreement with the Province of Nova Scotia.
 - Community Energy Systems - \$2,500 limit
 - Cultural Infrastructure - \$5,000 limit
 - Tourism Infrastructure - \$5,000 limit
 - Recreational Infrastructure - \$5,000 limit
 - Broadband Connectivity - \$5,000 limit
 - Trails - \$2,500 limit

5.12 In-kind Contributions

- The provision of Municipal property/facilities, materials or resources to support a service, program, project or event.

6.0 FUNDING ELIGIBILITY

An applicant organization must meet the following criteria in order to be considered for a Grant or Contribution.

6.1 There can only be maximum of two applications per organization per fiscal year.

6.2 Grant applicants should be able to demonstrate active fundraising efforts to support the continuation of a program, project or service. The West Hants Regional Municipality should not be considered as a primary source of funding for the organization. (This Section 6.2 is not applicable to those applicants who provide volunteer services on behalf of the Municipality in lieu of the Municipality providing the services directly, i.e. Volunteer Fire Societies.)

6.3 Funding requests can be defined as events/projects/programs which support, sustain, promote, inform, educate, celebrate, preserve, and/or

GRANTS AND CONTRIBUTIONS POLICY

provide access to the arts, culture, environment, heritage, safety and/or health activities for a specific or general demographic or geographic group.

- 6.4 Requests for financial assistance for events of a Municipal, Provincial or National significance which would be expected to bring economic and/or public relations benefit to the Municipality.
- 6.5 The applicant must demonstrate a commitment to all of the following principles:
 - a) Accessibility (open to all Municipal residents)
 - b) Effectiveness (funding supports specific Municipal goals or objectives)
 - c) Accountability (through sound management and financial practices)

7.0 GENERAL INFORMATION

- 7.1 Municipal Council sets the funding limits and annual budget allotments within this Grants and Contributions Policy.
- 7.2 Applicants will complete the appropriate Municipal application form and supply the requested documentation.
- 7.3 Application deadlines and expiry periods may apply.
- 7.4 All applications except for youth travel and sponsorship/donations are approved by Council and applicants will be notified by letter of approval or denial. The letter will state any terms and conditions that apply to the grant approvals.
- 7.5 Applications for youth travel and sponsorship/donations are reviewed and approved by either the Director of Community Development or the Chief Administrative Officer.
- 7.6 Applicants should demonstrate community support, fundraising efforts, and efficient use of resources, sound business practices and development of volunteers.
- 7.7 A financial statement and pertinent documentation must be filed with the Municipality annually.

GRANTS AND CONTRIBUTIONS POLICY

- 7.8 The Municipality reserves the right to deny any application it deems not within its' mandate.
- 7.9 All proposed work must comply with Municipal, Provincial and Federal regulations.
- 7.10 The following are the evaluation criteria that will be applied when reviewing grant applications:
- a. Project/program fits within the mandate (vision/mission) of the Municipality.
 - b. The organization is a not-for-profit and in good standing with the Registry of Joint Stock Companies.
 - c. The application is for a program, event, facility is for public community purpose.
 - d. A financial need is demonstrated.
 - e. The organization is sourcing other funding partners.
 - f. The project is economical.
 - g. The project/program brings value to the residents of the Municipality.
 - h. The funding provided by the Municipality will enable the organization to leverage dollars from other funding agencies.
 - i. The facility, program or event provides a good return on investment. The applicant has demonstrated that they will recognize the Municipality's contribution.
 - j. The organization has demonstrated long-term sustainability.
 - k. The applicant has demonstrated its own commitment to the project (ie. In-kind donations, financial contribution etc.)
- 7.11 Individuals are not eligible for funding under the Grants and Contributions Policy except with written authorization through recognized organizations or where legislation allows the Municipality to do so.
- 7.12 Funding will not be provided to offset accumulated deficits or funding shortfalls. Funding consideration is based only on budgeted revenues and expenditures in the year for which the assistance is requested.
- 7.13 The applicant organization must spend or allocate grant funding within the current fiscal year for which it has been approved and for the sole purpose under which it has been granted unless approved by the Municipality.

8.0 APPLICATION PROCESS

GRANTS AND CONTRIBUTIONS POLICY

- 8.1 Requests for funding under this program must be submitted on or before the deadlines stated by Municipal Administration. Public notification will be provided of the submission dates and requirements for all grant programs.
- 8.2 All applications must be accompanied by the required documentation to be considered complete when received.
- 8.3 Incomplete or late applications received after the deadlines set by Administration will not be processed.
- 8.4 Applicants receiving a grant or contribution under the Grants and Contribution Policy will not be eligible to receive a grant or contribution under any other grant program established by Council in the same fiscal year. This does not apply to organizations exempted under the Property Tax Exemption policy.

9.0 GENERAL TERMS

- 9.1 Granting of assistance in any one year or over several years is not a commitment to future funding.
- 9.2 Applications for in-kind support will be forwarded to the respective department for review and a separate report to Council will be prepared for consideration and approval during the approval process.

10.0 THE ROLE OF ADMINISTRATION

- 10.1 The Administration of West Hants Regional Municipality will set application deadlines, receive and process written and complete submissions by applying established parameters, within the budget approved by Council.
- 10.2 Grant applicants determined to be ineligible for funding will be notified, in writing as soon as is practically possible.
- 10.3 The Chief Administrative Officer will provide a written report to Council on the recommended disposition of funds, annually.
- 10.4 Requests for grants, contributions or in-kind support received outside of the established grant application period will only be considered should sufficient funding be available in the current fiscal year.

GRANTS AND CONTRIBUTIONS POLICY

10.5 Successful applicants will be notified with an official letter with instructions and reporting requirements.

10.6 Pursuant to the Municipal Government Act, Section (65C), a list of grants approved by West Hants Regional Municipality to community organizations will be published annually on the municipal website. The information will include the name of the applicant, name of the organization and grant funding approved.

11.0 RELATED PROGRAMS & INFORMATION

11.1 Youth Travel Assistance Program Guidelines

11.2 Community Trail Funding Program Guidelines

11.3 Community Development In-kind Contribution Grant

11.4 Grants to Recognized Fire Services

11.5 Registered Heritage Properties Grant

12.0 REPEAL

12.1 The Grants and Contribution Policy, COUNCIL-01-003, dated February 10, 2015 of the former Municipality of the District of West Hants is hereby repealed.

I, Rhonda Brown, Municipal Clerk of the West Hants Regional Municipality, in the Province of Nova Scotia, do hereby certify that this is a true copy of the Policy as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the **24th** day of **November, 2020**.



R.N Brown
Municipal Clerk

GRANTS AND CONTRIBUTIONS POLICY

<i>Adoption</i>	
<i>Notice to Council:</i>	November 10, 2020
<i>Approval:</i>	November 24, 2020
<i>Description:</i> Initial approval of the Grants and Contribution Policy, RCOFN-012.00.	



Mobile Canteens and Sidewalk Cafés

Committee of the Whole

February 9, 2021

Background

- ▶ A motion was approved by Council on September 22, 2020 to:
“direct staff to prepare a report for Council on the bylaws and fees applicable for restaurants (including sidewalk cafés) and mobile vending units. It would be helpful to include information on the location permissions as well as comparable fees in our region for similar services along with any recommendations for changes staff may deem appropriate”



Restaurants



Restaurants

- ▶ A restaurant is defined in the West Hants and Windsor Planning documents as *“a building or part of a building where food and drink are prepared and served to the public for consumption within the building or for takeout”*
- ▶ Restaurants are permitted on private property in specific areas throughout the Region as specified in the Land Use By-laws for Hantsport, West Hants and Windsor



Restaurants Cont.

Hantsport Land Use By-law	West Hants Land Use By-law	Windsor Land Use By-law
“All commercial uses” are permitted in the Commercial (C-1) and the Mixed Commercial / Residential (C-2) Zone	“Restaurants, excluding drive-through restaurants” are permitted in the General Commercial (GC) and the Local Commercial (LC) Zones	
	“Restaurants, including drive-through and take-out establishments” are permitted in the Highway Commercial (HC) Zone	“Restaurants, including drive-through and take-out establishments” are permitted in the Wentworth Road Commercial (WR-C), Highway Commercial (HC) and the Shopping Centre (SC) Zones
	“Restaurants” are permitted in the Rural Commercial (RC) and the General Resource (GR) Zones	“Restaurants” are permitted in the Town Centre (TC) Zone
	“Restaurants, drive-in restaurants” are permitted in the Joint Industrial Type Three (LI-3) Zone	

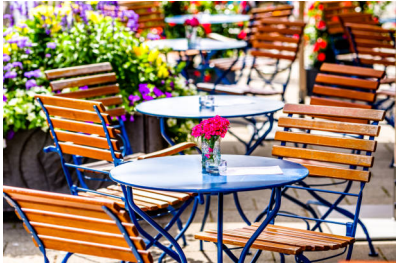


Restaurants Cont.

- ▶ Staff do not propose any amendments to the Land Use By-laws regarding restaurants in association with this report, as a review will be complete as part of the Plan Review

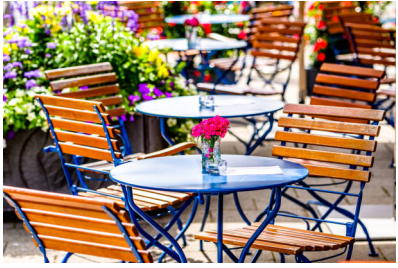


Sidewalk Cafés



Sidewalk Cafés

- ▶ Defined in the Sidewalk Café Policy as *“a group of tables and chairs, and other accessories belonging to an Owner, situated and maintained upon a public sidewalk or pedestrian mall, for the use and consumption of food and beverages sold to the public, from or in, the Owner’s adjoining indoor food and beverage establishment.”*
- ▶ Permitted if accessory and adjacent to a food and beverage establishment in Windsor between May 15 – October 15
- ▶ Fee: \$0.50 per ft² (0.0929 m²) per month, for the term

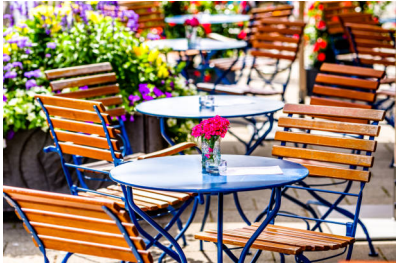


Sidewalk Cafés

Fees

- Existing: \$0.50 / ft² (0.0929 m²) / month for the term

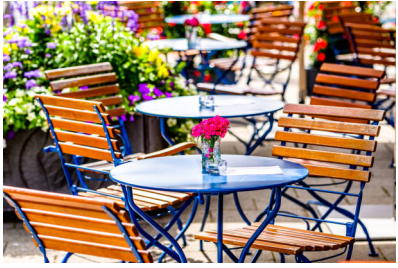
	Option 1: Existing Sidewalk Café Policy Fees	Option 2: Amend the Sidewalk Café Policy to \$0.50 / ft ² (0.0929 m ²) for the term (Town of Kentville)	Option 3: Amend the Sidewalk Café Policy to \$1.00 / ft ² (0.0929 m ²) for the term (Town of Wolfville)	Option 4: Amend the Sidewalk Café Policy to a flat fee based on the size
Permit #1	448ft ² of café space with a fee of \$1,545	448ft ² of café space with a fee of \$224	448ft ² of café space with a fee of \$448	448ft ² of café space (large) with a flat fee of \$200
Permit #2	110 ft ² of café space with a fee of \$335	110 ft ² of café space with a fee of \$55	110 ft ² of café space with a fee of \$110	110 ft ² of café space (medium) with a fee of \$150



Sidewalk Cafés Cont.

CAO's Recommendation

- ▶ “Sidewalk Cafés are positive contributors to our overall economic environment, economic well being and social benefits as noted in the report. Both staff and the WTBA promote and encourage cafés in all areas of the WHRM. It is desirable to simplify the fee structure for the benefit of the business as well as the municipal administration and to eliminate as many barriers as possible to promote and encourage their existence.”
- ▶ Option #4 (flat fee based on the size)
 - ▶ Small: 100 ft² or less = \$100
 - ▶ Medium: 101 ft² to 300 ft² = \$150
 - ▶ Large: 301ft² or larger = \$200



Sidewalk Cafés Cont.

Questions for COTW

- ▶ Is it the consensus of COTW that the ability to have sidewalk cafés be continued in Windsor?
- ▶ Do you wish to extend the ability to permit sidewalk cafés in the commercial areas of Hantsport?

Fees

- ▶ Is it the consensus of COTW that fees be modified for sidewalk cafés?
- ▶ If so, which option in the table do you prefer?



Mobile Canteens



Mobile Canteens

- ▶ Defined in the Windsor Hawkers, Traders and Peddlers By-law (1998) as *“any vehicle used for the displaying, storing or transporting of food and beverages for sale directly to the public by a Vendor, saving and expecting direct products of the farm, forest or sea which is required to be licensed and registered pursuant to the Motor Vehicle Act or propelled by human power whether required to be licensed or not, and includes stands”*
- ▶ Permitted anywhere in Windsor
- ▶ No specified dates; permits are issued for three (3) month periods
- ▶ Fee: \$100 for three (3) months



Mobile Canteens Cont.

Fees

- Existing: \$100 for three (3) months

Option 1: Existing provisions in the Windsor Hawkers, Traders and Peddlers By-law	Option 2: Permit on a monthly, seasonal, or yearly basis	Option 3: Permit on a tiered system based on how long they are located on one property
\$100 / three (3) months	• \$50 / one (1) month • \$100 / three (3) months • \$200 / season (May 15 – October 15) • \$400 / year	• \$25 / special event on public property (14 days or less) • \$100 / three (3) months • \$200 / an additional three (3) months on the same property • \$300 / an additional three (3) months on the same property • \$400 / an additional three (3) months on the same property • \$1000 / year on the same property



Mobile Canteens Cont.

CAO's Recommendation

- ▶ “Mobile Canteens are viewed similarly to Sidewalk Cafés as a positive contributor to our overall economic environment, economic well being and social benefits as noted in the report. Both staff and the WTBA promote and encourage mobile canteens in all areas of the WHRM. The primary issues discussed were the locations, duration of operation and a desire to have a fair fee structure not only for the right to operate the mobile canteen in the WHRM but a fee structure that aligns with the duration of the operation of the canteen if it extends beyond three (3) months or up to one (1) year.”



Mobile Canteens Cont.

CAO's Recommendation Cont.

- ▶ Option #3 (tiered system)
 - ▶ \$25 / special event on public property (14 days or less)
 - ▶ \$100 / three (3) months
 - ▶ \$200 / an additional three (3) months on the same property
 - ▶ \$300 / an additional three (3) months on the same property
 - ▶ \$400 / an additional three (3) months on the same property
 - ▶ \$1000 / year on the same property



Mobile Canteens Cont.

Questions for COTW

- ▶ Is it the consensus of COTW that the ability to have mobile canteens be continued in Windsor?
- ▶ Do you wish to extend the ability for mobile canteens to the rest of the Municipality?
- ▶ Does COTW want to restrict mobile canteens and mobile refreshment carts to private property, or would COTW consider permitting them on public property?

Fees

- ▶ Is it the consensus of COTW that fees be modified for mobile canteens?
- ▶ If so, which option in the table do you prefer?

A row of cars parked in a lot, with a blue and green geometric background on the right.

Temporary Vending



Temporary Vending

- ▶ Defined in the Temporary Vendor By-law (2012) as *“a person who is selling any of the goods or services outlined in Schedule “A” of this by-law at a temporary location, but does not include a person who is operating or carrying on business selling the same goods or services on a permanent basis within the Town of Windsor, Town of Hantsport or Municipality of West Hants’ boundaries or those exhibiting products and/or services on the Hants County Exhibition Grounds”*
- ▶ Outlines the regulations for temporary sales of bulk items such as motor vehicles, furniture, appliances and building materials
- ▶ Only permitted in Windsor; No specified dates or time period
- ▶ Fee: \$250 for a license



Temporary Vending Cont.

CAO's Recommendation

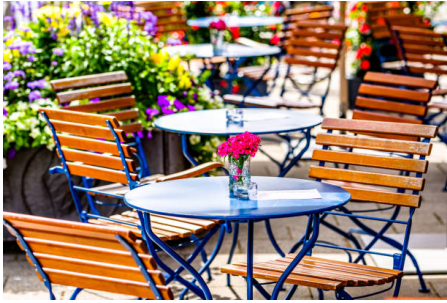
- ▶ “Repeal this by-law and include items in the revised “Hawkers, Traders and Peddlers By-law”



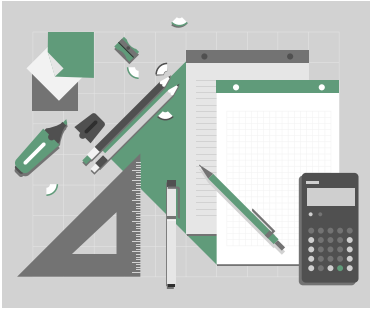
Temporary Vending Cont.

Questions for COTW

- ▶ Is it the consensus of COTW that temporary vendors continue to be regulated in Windsor?
- ▶ Do you wish to extend the regulations for temporary vendors to the rest of the Municipality?



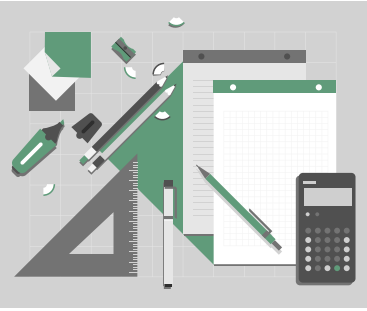
Possible Amendments



Possible Amendments

Sidewalk Café Policy

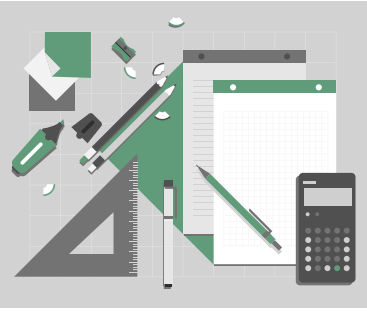
- ▶ Repeal and replace with a new policy which:
 - ▶ extends the Policy to the rest of the Region, specifically including existing sidewalks in commercial areas of Hantsport
 - ▶ changes the fee structure based on the option from the table agreed upon by COTW and move the fees to the Fees Policy
 - ▶ explicitly states the signing authority is the CAO
 - ▶ outline an appeal process for a permit that is revoked



Possible Amendments

Sidewalk Café Policy Cont.

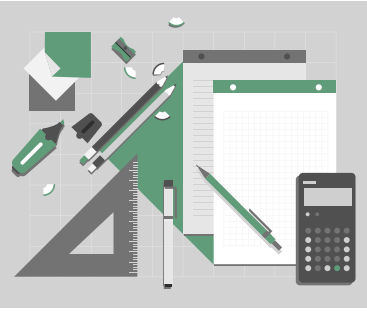
- ▶ allows continuous/connected sidewalk cafés along the frontage of different properties as long as the permit for the continuous/connected sidewalk café considers:
 - ▶ safety and accessibility;
 - ▶ traffic and parking;
 - ▶ and that the replacement sidewalk:
 - ▶ is constructed of the same material for its entire length;
 - ▶ allows access to the entrance of all individual businesses; and
 - ▶ the connection is agreed upon by all property owners



Possible Amendments

Temporary Vendor By-law (2012)

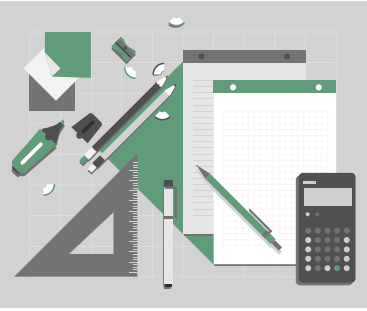
- ▶ Repeal this by-law and include items in the revised “Hawkers, Traders and Peddlers By-law”



Possible Amendments

Hawkers, Traders and Peddlers By-law (1998)

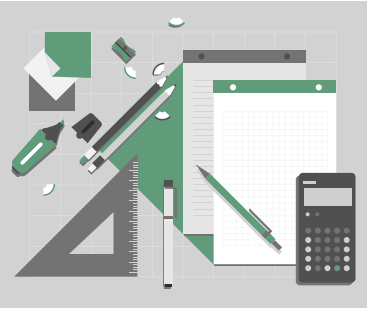
- ▶ Repeal and replace with a new by-law which:
 - ▶ renames the by-law “Vending By-law” and incorporates vending of all kinds including mobile canteens, mobile refreshment carts and temporary vending
 - ▶ extends the By-law to the rest of the Region
 - ▶ only permits mobile canteens in areas that are appropriate (e.g., commercial, industrial, institutional (arenas) zoned areas)
 - ▶ specifies if mobile vendors and mobile refreshment carts are only permitted on private property, except for special events or holidays where they may be permitted on public property



Possible Amendments

Hawkers, Traders and Peddlers By-law (1998) Cont.

- ▶ specifies the supporting documentation to accompany an application for a mobile canteen license (e.g., a copy of the MVI registration, proof of insurance, authorization from the property owner, site plan, and food establishment permit, etc.)
- ▶ specifies that mobile canteen applications should also consider parking, access to the property, and garbage collection
- ▶ changes the fee structure based on the option from the table agreed upon by COTW and moves the fees to the Fees Policy
- ▶ describes an appeal process and period if the application is refused



Possible Amendments

Hawkers, Traders and Peddlers By-law (1998) Cont.

- ▶ for temporary vending:
 - ▶ sets a time period on how long the temporary vending can occur
 - ▶ outlines how many temporary vendor licenses can be issued to an individual per year

Decision Request

- ▶ Staff request direction from Committee of the Whole on whether to proceed with the repeal of the Temporary Vendor By-law, the Hawkers, Traders and Peddlers By-law and the Sidewalk Café Policy and to replace those documents with new versions for the Regional Municipality that reflect the recommendations in this report (Table 6), or as revised by the Committees of Council

Next Steps

- ▶ Following the direction from Committee of the Whole, staff will prepare the recommended amendments to the specific policies and by-laws regarding sidewalk cafés, mobile canteens, and temporary vendors



WINDSOR / WEST HANTS

TOGETHER



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: Members of West Hants Regional Council

Submitted by: _____
Sara Poirier, Planner

Date: 2021-02-09

Subject: Mobile Canteens and Sidewalk Cafés; File #20-26

LEGISLATIVE AUTHORITY

MGA 49 Power to make Policies
MGA 172 Power to make By-laws
MGA 173 Vending on Streets
MGA 219 & 220 Adoption and Content of a Land Use By-law
MGA 309 By-laws for Protection of Streets
MGA 314 Street Encroachments

RECOMMENDATION or DECISION REQUEST

Staff request direction from Council on whether to proceed with the repeal of the Temporary Vendor By-law, the Hawkers, Traders and Peddlers By-law and the Sidewalk Café Policy and to replace those documents with new versions for the Regional Municipality that reflect the recommendations in this report (Table 6), or as revised by the Committees of Council.

BACKGROUND

Property ☒	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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A motion was made by Councillor Ivey at the September 8, 2020 Committee of the Whole meeting to have Council "direct staff to prepare a report for Council on the by-laws and fees applicable for restaurants (including sidewalk cafés) and mobile vending units. It would be helpful to include information on the location permissions as well as comparable fees in our region for similar services along with any recommendations for

changes staff may deem appropriate". Council approved the motion on September 22, 2020.

DISCUSSION

Planning and Development Department staff discussed items in this report with the Chief Administrative Officer, Director of Community Development, Manager of Community Economic Development, Manager of Public Works Operations and the Co-Chairs of the Windsor Township Business. The summary of their comments is discussed in each individual section.

Note: Comments from other businesses or business associations were not solicited at this time, however, are expected as part of the development of the revised policy and/or by-laws.

Restaurants

A restaurant is a building or part of a building where food and drink are prepared and served to the public for consumption within the building or for takeout. Restaurants are permitted on private property in specific areas throughout the Region as specified in the Land Use By-laws for Hantsport, West Hants and Windsor (Table 1).

Table 1: Zones where Restaurants are Listed as Permitted Uses in the Region

Hantsport Land Use By-law	West Hants Land Use By-law	Windsor Land Use By-law
"All commercial uses" are permitted in the Commercial (C-1) and the Mixed Commercial / Residential (C-2) Zone	"Restaurants, excluding drive-through restaurants" are permitted in the General Commercial (GC) and the Local Commercial (LC) Zones	
	"Restaurants, including drive-through and take-out establishments" are permitted in the Highway Commercial (HC) Zone	"Restaurants, including drive-through and take-out establishments" are permitted in the Wentworth Road Commercial (WR-C), Highway Commercial (HC) and the Shopping Centre (SC) Zones
	"Restaurants" are permitted in the Rural Commercial (RC) and the General Resource (GR) Zones	"Restaurants" are permitted in the Town Centre (TC) Zone
	"Restaurants, drive-in restaurants" are permitted in the Joint Industrial Type Three (LI-3) Zone	

Restaurant owners experience many one-time costs of starting their business which may include:

- leasing a space or providing a down payment for a mortgage to purchase a location
- business licenses/permits (development permits, liquor licensing, health and safety, etc.)
- legal fees
- building improvements (building permits and construction costs)
- purchase of kitchen and cooking equipment
- purchase of furniture
- purchase and setup of an ordering and payment system
- signage and advertising (including sign permits)

There are also a variety of recurring and ongoing costs including rent or mortgage payments, water and sewer payments if on a municipal service, electricity, property taxes, employee salaries, food and beverage costs, insurance and permits, marketing and advertising, and miscellaneous expenses (e.g., unexpected repairs).

Sidewalk Café's

A sidewalk café allows a property owner to expand their restaurant or other food and beverage business into the pedestrian realm and onto public infrastructure. Sidewalk cafés can make a street more interesting, vibrant and inviting. In West Hants Regional Municipality, sidewalk cafés are only permitted in Windsor.

A sidewalk café is defined in the Sidewalk Café Policy as *"a group of tables and chairs, and other accessories belonging to an Owner, situated and maintained upon a public sidewalk or pedestrian mall, for the use and consumption of food and beverages sold to the public, from or in, the Owner's adjoining indoor food and beverage establishment."* The Windsor Streets and Sidewalks By-law allows Council to *"enter into leases, containing such terms and conditions as it deems appropriate, for the seasonal or temporary use of a sidewalk or other suitable Town of Windsor property as a sidewalk café or restaurant."* The Sidewalk Café Policy (2003) outlines the guidelines for the use of the public sidewalk as a sidewalk café (Attachment A). Sidewalk cafés are permitted if accessory and adjacent to a food and beverage establishment in Windsor.

The Sidewalk Café Policy outlines that sidewalk cafés are permitted between May 15 – October 15 if the property owner receives a permit from the Municipality. The Policy states that the property owner is required to provide a temporary sidewalk if the sidewalk café inhibits free flow of pedestrian traffic, and outlines provisions for other items such as hours of operation, fencing, umbrellas, waste and storage, access, landscaping, lighting, furnishings, and noise.

Applications for a sidewalk café are to be accompanied by a site plan, proof of liability insurance, proof of notifying abutting property owners, and the calculated fees as specified in the Policy. The Policy outlines that an annual rental charge for the use of the sidewalk space is payable to the Municipality at the rate of \$0.50 per ft² (0.0929 m²) per month, for the term. This rental charge is a monthly rental which is payable in full in advance for the entire term of the permit.

The Policy does not specify the signing authority for the permit; however, in the past the Development Officer has received and reviewed the application, and the CAO has signed the permit. The Policy outlines an appeal process for the applicant if the license is refused. The applicant can appeal to Council and Council must provide written decision within 60 days of receipt of the appeal letter. A permit can be revoked if music or other entertainment causes a nuisance to abutting or neighbouring property owners,

or if the owner of the sidewalk café fails to comply with the terms and conditions of approval as outlined in the Policy. There is no appeal process for a permit that is revoked. The Policy does not outline any penalties and enforcement of the provisions of the Policy.

The Development Officer specified that there has been some interest in sidewalk cafés mainly from businesses along Water Street. The sidewalk rental charges are dependent on the size of the sidewalk café therefore some restaurant owners pay approximately \$350 per season and others pay upwards of \$1,500 per season to the Municipality. Those fees do not include the building and development permits that may be required or the materials to build the sidewalk café, and any other fees that are required as part of operating a restaurant.

The fees associated with the sidewalk café license were waived for the 2020 season by Council on May 26, 2020 due to the impact that the COVID-19 public health restrictions were having on local businesses.

Sidewalk cafés are only permitted in Windsor and not in any other area of the Region. The only other commercial area of the Municipality where the Municipality owns and maintains the roads and sidewalks is in Hantsport. The Sidewalk Café Policy could be amended to extend the provisions to the community of Hantsport. The Manager of Public Works Operations stated that their only concern with extending the Policy to Hantsport is that some of the streets in the commercial areas only have a sidewalk on one side of the street. They stated that if the Policy addresses that sidewalk cafés are only permitted where there is an existing sidewalk then they do not foresee any issues with extending it to Hantsport.

The discussion with members of staff and the Windsor Township Business Association concluded that sidewalk cafés enhance downtown Windsor and should be permitted in the commercial areas of Hantsport, however that the fee structure should change. The discussion also included that the policy could be revised to allow continuous/connected sidewalk cafés along the frontage of different properties as long as the permits for the continuous/connected sidewalk café considered safety and accessibility, traffic and parking, that the walkway is constructed of the same material, that all property owners agreed and that it still allowed access to the entrance of the individual businesses.

Questions for COTW

- Is it the consensus of COTW that the ability to have sidewalk cafés be continued in Windsor?
- Do you wish to extend the ability to permit sidewalk cafés in the commercial areas of Hantsport?

Mobile Canteens

Due to their mobile nature, mobile canteens can experiment with sales location. For example, they could locate near big box retailers, at a hockey arena, at a fair or another venue where people gather. In the West Hants Regional Municipality, mobile canteens are currently only permitted in Windsor, and typically locate near main roadways.

The Windsor Hawkers, Traders and Peddlers By-law (1998) permits mobile canteens and mobile refreshment carts in the community of Windsor if the owner receives a license from the Municipality (Attachment B). A mobile canteen is defined as “any

vehicle used for the displaying, storing or transporting of food and beverages for sale directly to the public by a Vendor, saving and expecting direct products of the farm, forest or sea which is required to be licensed and registered pursuant to the Motor Vehicle Act or propelled by human power whether required to be licensed or not, and includes stands". Mobile canteen licenses are \$100 for three (3) months, with no limit to the number of licenses a mobile canteen can have per year. An application is reviewed by the Development Officer and approved by the CAO and Mayor. The Development Officer recalls only two licenses ever being issued for mobile canteens in Windsor.

The By-law does not specify if mobile canteens are restricted to private property or would be permitted on public land outside of a special event. In the past there have only been requests for mobile canteens on private property, but the By-law remains vague on whether the Municipality could permit them on public property if requested. The By-law does not specify the supporting documentation to accompany an application for a mobile canteen license, however the Development Officer would typically request a copy of the MVI registration, proof of insurance, authorization from the property owner, consideration for parking, and food establishment permit. The By-law does not outline an appeal process for the applicant if the license is refused or revoked. The By-law does state that there may be penalties for failing to comply with the provisions of the By-law, including a penalty of between \$100-\$1,000 or imprisonment for a period between 10-30 days, if convicted.

Although the costs that mobile canteen owners experience may not be equal to those faced by restaurant owners, some of the expense items are similar. Mobile canteen owners experience many one-time costs of starting their business which may include:

- purchasing or renting the mobile canteen
- license/permits (development permit, liquor licensing, health and safety, etc.)
- legal fees
- purchase of cooking equipment
- purchase of a power supply (e.g., generator, etc.)
- creation of a system for waste removal
- purchase and setup of an ordering and payment systems, and
- signage and advertising (including sign permits)

There are also a variety of recurring and ongoing costs including leasing a space on a property to park and sell from, fuel, water, employee salaries, food and beverage costs, insurance and permits, marketing and advertising, and miscellaneous expenses (e.g., unexpected repairs).

The By-law does not specify the areas or zones in Windsor where mobile canteens can be located and there is no ability for the license to be issued for a period less than three (3) months. The By-law could be amended to extend the ability for mobile canteens to operate in other areas of the Region, specify the zones that mobile canteens would be permitted in and provide the ability for the license to be issued to a mobile canteen owner for a period less than three (3) months.

Members of staff and the Windsor Township Business Association discussed that temporary mobile canteens should be permitted on public property only for events or holidays. The discussion also included that the fees should increase for mobile canteens to ensure fairness between restaurant owners and mobile canteen operators, especially if they are operating for more than a three (3) month period. Permits for mobile

canteens should also consider the zoning of the property, parking, safety and access to the property, and garbage collection.

Questions for COTW

- Is it the consensus of COTW that the ability to have mobile canteens be continued in Windsor?
- Do you wish to extend the ability for mobile canteens to the rest of the Municipality?
- Does COTW want to restrict mobile canteens and mobile refreshment carts to private property, or would COTW consider permitting them on public property?

Temporary Vending

The Windsor Land Use By-law (WLUB) permits temporary sales kiosks and food service kiosks in the Pesaquid Comprehensive Development District (PCDD) (Attachment D). The PCDD area is located on the north side of Water Street in Windsor between Gerrish Street and the Highway 1 bridge to Falmouth (Figure 1). The WLUB specifies that kiosks are only permitted on land owned by the Municipality other than a public street or sidewalk, and the applicant must enter into a lease or other written agreement with the Municipality authorizing the use. Kiosks sales are limited to gifts, arts and crafts, souvenirs, farm produce and other similar items. The kiosk cannot operate for more than six (6) months, the total gross floor area cannot exceed 100 ft² (9.29 m²) and the kiosk does not have to provide any off-street parking. The Development Officer specified that this section was added to the planning documents in hopes that Council would approve the construction of a limited number of Municipally owned kiosks that could be rented out to vendors. The kiosks have not been constructed to date and no fee for rental has been determined.

The WLUB also specifies that temporary sales and food service kiosks, mobile canteens, and similar uses erected for a special occasion or holiday shall follow the regulations for *"temporary uses, building and structures"* and be exempt from the requirements outlined previously, provided that the kiosk or mobile canteen is removed within 14 days after the close of the event.

The Windsor Temporary Vendor By-law (2012) outlines the regulations for temporary sales of bulk items such as motor vehicles, furniture, appliances and building materials (Attachment C). The By-law defines a temporary vendor as *"a person who is selling any of the goods or services outlined in Schedule "A" of this by-law at a temporary location, but does not include a person who is operating or carrying on business selling the same goods or services on a permanent basis within the Town of Windsor, Town of Hantsport or Municipality of West Hants' boundaries or those exhibiting products and/or services on the Hants County Exhibition Grounds"*. The By-law requires confirmation that the proposed site of the temporary vendor is zoned for such use in the Land Use By-law if it was permanent.

There is no set time period or restrictions on the number of licenses a temporary vendor can apply for per year, although the date and time of the sale have to be given as part of the application. An application for a temporary vendor license is to be accompanied by a copy of liability insurance, permission from the property owner and the fee of \$250. The CAO is the licensing authority, and the license has to be displayed at the site of the vendors business.

The By-law outlines an appeal process for the applicant if the license is refused or revoked. The applicant can appeal to Council within 14 days of the decision. The By-law also outlines penalties and enforcement of the provisions and specifies that anyone who contravenes the By-law or a license, may face a penalty of between \$5,000-\$10,000 or imprisonment of 30 days, if convicted. The Development Officer could not recall any permits being issued under the Windsor Temporary Vendor By-law to date.

Questions for COTW

- Is it the consensus of COTW that temporary vendors continue to be regulated in Windsor?
- Do you wish to extend the regulations for temporary vendors to the rest of the Municipality?

Staff Review & Recommendations

Fees

As described previously there are a variety of by-laws and policies that permit restaurants, sidewalk cafés, mobile canteens, and temporary vendors. The fees for each use are different depending on the type of use, length of time requested and required permits (Table 2).

Table 2: Municipal Fees for Licensed Uses

Type of Use	License	Development Permit	Building Permit
Restaurants	N/A	\$25	Building permit for new construction and additions to commercial buildings: \$50 plus \$0.15 per ft², if required Building permit for repairs, renovations or alterations to all existing buildings: \$25.00 + \$2.50 per \$1000.00 of value of construction, if required Building permit for non-structural repairs, renovation or alterations where the estimated value of construction is between \$1000.01 and less than \$5000.00: \$25, if required
Sidewalk Cafés	\$0.50 per ft ² (0.0929 m ²) per month for the term	\$25, if required	Building permit for repairs, renovations or alterations to all existing buildings: \$25.00 + \$2.50 per \$1000.00 of value of construction, if required

			Building permit for non-structural repairs, renovation or alterations where the estimated value of construction is between \$1000.01 and less than \$5000.00: \$25, if required
Mobile Canteens	\$100 for every three (3) months	\$25, if required	
Temporary Vendors	Temporary sales of bulk items such as motor vehicles, furniture, appliances, building materials: \$250 Temporary sales kiosks and food service kiosks in the Pesaquid Comprehensive Development District (PCDD): Fees not yet determined		Temporary sales and food service kiosks, mobile canteens, and similar uses for a special occasion or holiday (14 days or less): No development permit required but may require building permits

Staff investigated the fees for sidewalk cafés and mobile canteens in other Towns and Municipalities in Nova Scotia to see how West Hants Regional Municipality compared (Table 3).

Table 3: Comparison of License Fees for Sidewalk Cafés and Mobile Canteens with other Towns and Municipalities

	Sidewalk Cafés	Mobile Canteens
West Hants Regional Municipality	\$0.50 / ft ² (0.0929 m ²) / month for the term	\$100 / three (3) months
Town of Wolfville	\$1.00 / ft ² (0.0929 m ²)	\$75 / canteen / event \$75 for vending on private property with a timeline set by the Development Officer

Town of Kentville	\$0.50 / ft ² (0.0929 m ²)	\$10 / event less than 10 days \$75 / canteen for a period less than three (3) months
Town of Bridgewater	\$200 / season (May 15 – Oct 31)	\$25 / week \$75 / month \$200 / year
Town of Truro	\$100 / year	No by-law or policy for mobile canteens
Town of Yarmouth	No by-law or policy for sidewalk cafés	\$200 / month \$500 / year
Municipality of the District of East Hants	No by-law or policy for sidewalk cafés	No by-law or policy for mobile canteens
Municipality of the County of Kings	No by-law or policy for sidewalk cafés	\$500 / year
Municipality of the District of Lunenburg	No by-law or policy for sidewalk cafés	Vending in Municipal Parks: \$25 / event (1 day) \$250 / season
Halifax Regional Municipality	\$400 / seasonal enclosed small café (100 ft ² or less) \$800 / seasonal enclosed café (larger than 100 ft ²) \$1,000 / annual sidewalk café \$150 / meter, post, sign that needs to be removed and reinstalled per café season	Vending on Municipal Land: \$915 / year / food service vehicle

Staff understand that sidewalk café owners are renting a portion of public infrastructure from the Municipality and that there should be fees associated with that rental. However, the fees for sidewalk cafés are significantly higher in West Hants Regional Municipality (WHRM) than other areas of the Province. Providing a similar fee structure to other areas in the Province for sidewalk cafés in WHRM would encourage businesses to continue to operate and provide inviting sidewalk cafés in the Region.

The fees for sidewalk cafés in WHRM could be amended to be \$0.50 / ft² (0.0929 m²) for the term, instead of per month for the term (Table 4, Option 2). This would make the fee more comparable to the Town of Kentville. Council could also decide to increase the fee to \$1.00 / ft² (0.0929 m²) for the term to align with the Town of Wolfville (Table 4, Option 3). Another suggestion from the discussion with staff and the Windsor

Township Business Association was to charge a flat fee for the season or a flat fee based on the size of the sidewalk café (Table 4, Option 4). The flat fee option would be comparable to the Town of Bridgwater and Town of Truro. The flat fee based on the size of the sidewalk café could follow a similar example:

- small: 100 ft² or less = \$100
- medium: 101 ft² to 300 ft² = \$150
- large: 301ft² or larger = \$200

Table 4: An Example of Possible Fee Amendments to Sidewalk Café Policy Based on Current Permits Issued

	Option 1: Existing Sidewalk Café Policy Fees	Option 2: Amend the Sidewalk Café Policy to \$0.50 / ft² (0.0929 m²) for the term (Town of Kentville)	Option 3: Amend the Sidewalk Café Policy to \$1.00 / ft² (0.0929 m²) for the term (Town of Wolfville)	Option 4: Amend the Sidewalk Café Policy to a flat fee based on the size
Permit #1	448ft ² of café space with a fee of \$1,545	448ft ² of café space with a fee of \$224	448ft ² of café space with a fee of \$448	448ft ² of café space (large) with a flat fee of \$200
Permit #2	110 ft ² of café space with a fee of \$335	110 ft ² of café space with a fee of \$55	110 ft ² of café space with a fee of \$110	110 ft ² of café space (medium) with a fee of \$150

Questions for COTW

- Based on the comparison of the fees from other jurisdictions and staff recommendation, is it the consensus of COTW that fees be modified for sidewalk cafés?
- If so, which option in Table 4 do you prefer?

The fees for mobile canteens are comparable to other areas, however Council could determine if they would like to permit reduced time periods instead of only permitting mobile canteens for three (3) months at a time (Table 5, Option 2). Another suggestion from the discussion with staff and the Windsor Township Business Association was to change the fee structure to have one fee for mobile canteens that participate in a short-term special event on public property and then have an incremental increase in fees based on how long the mobile canteen is located on one property (Table 5, Option 3).

Table 5: An Example of Possible Fee Amendments to the Hawkers, Traders and Peddlers By-law for Mobile Canteens

Option 1: Existing Mobile Canteen provisions in the Windsor Hawkers, Traders and Peddlers By-law	Option 2: Amend the Windsor Hawkers, Traders and Peddlers By-law to permit mobile canteens on a monthly, seasonal, or yearly basis	Option 3: Amend the Windsor Hawkers, Traders and Peddlers By-law to permit mobile canteens on a tiered system based on how long they are located on one property
\$100 / three (3) months	\$50 / one (1) month \$100 / three (3) months \$200 / season (May 15 – October 15) \$400 / year	\$25 / special event on public property (14 days or less) \$100 / three (3) months \$200 / an additional three (3) months on the same property \$300 / an additional three (3) months on the same property \$400 / an additional three (3) months on the same property \$1000 / year on the same property

Questions for COTW

- Based on the comparison of the fees from other jurisdictions and staff recommendation, is it the consensus of COTW that fees be modified for mobile canteens?
- If so, which option in Table 5 do you prefer?

Other Amendments

Staff are recommending repealing and replacing the Temporary Vendor By-law, the Hawkers, Traders and Peddlers By-law and Sidewalk Café Policy based on recommendations described in Table 6.

Table 6: Staff Recommended Amendments to the By-law or Policies respecting Restaurants, Sidewalk Cafés, Mobile Canteens and Temporary Vendors

By-law or Policy	Recommended Amendments
Hantsport, West Hants and Windsor Land Use By-laws	No proposed amendments in association with this report. Review will be complete as part of the Plan Review.

Windsor Streets and Sidewalks By-law	No proposed amendments in association with this report.
Windsor Sidewalk Café Policy	Replace with a new policy which: • extends the Policy to the rest of the Region, specifically including existing sidewalks in commercial areas of Hantsport • changes the fee structure based on the recommendation from table 4 agreed upon by Council and moves the fees to the Fees Policy • explicitly states the signing authority is the CAO • outline an appeal process for a permit that is revoked • allows continuous/connected sidewalk cafés along the frontage of different properties as long as the permit for the continuous/connected sidewalk café considers safety and accessibility, traffic and parking, that the walkway is constructed of the same material, is agreed upon by all property owners, and still allows access to the entrance of the individual business
Windsor Hawkers, Traders and Peddlers By-law	Replace with a new By-law which: • renames the by-law "Vending By-law" and incorporates vending of all kinds including mobile canteens, mobile refreshment carts and temporary vending • extends the By-law to the rest of the Region • only permits mobile canteens in areas that are appropriate (e.g., commercial, industrial, institutional (arenas) zoned areas) • specifies if mobile vendors and mobile refreshment carts are only permitted on private property, except for special events or holidays where they may be permitted on public property • specifies the supporting documentation to accompany an application for a mobile canteen license (e.g., a copy of the MVI registration, proof of insurance, authorization from the property

	owner, site plan, and food establishment permit, etc.) • specifies that mobile canteen applications should also consider parking, access to the property, and garbage collection • changes the fee structure based on the recommendation from table 5 agreed upon by Council and moves the fees to the Fees Policy • describe an appeal process and period if the application is refused • for temporary vending: • set a time period on how long the temporary vending can occur • outline how many temporary vendor licenses can be issued to an individual per year
Windsor Temporary Vendor By-law	• Repeal this by-law and include items in the revised "Hawkers, Traders and Peddlers By-law"

NEXT STEPS

Upon direction from Council, staff will prepare the recommended amendments to the specific policies and by-laws regarding sidewalk cafés, mobile canteens, and temporary vendors.

FINANCIAL IMPLICATIONS

There are no financial implications to the Municipality or residents with regard to the filing of this report. There may be associated financial implications to the Municipality if Council agrees to amend specific by-laws. This would include the advertising of the proposed amendments to the specific by-laws. The advertising can be accommodated in the budget.

Any amendments to the fees in the policies or by-laws would have a financial impact on business owners within the Region. This financial impact could be positive if the fees are reduced, or negative if the fees are increased.

ALTERNATIVES

Should the Committee of the Whole not wish to move forward with the list of staff suggested amendments to the Hawkers, Traders and Peddlers By-law, Temporary Vendor By-law and Sidewalk Café Policy as described in Table 6, it may:

- recommend specific items be added or removed from the proposed list; or
- provide alternative direction, such as requesting further information on a specific topic.

ATTACHMENTS

Attachment A	Windsor Sidewalk Café Policy
Attachment B	Windsor Hawkers, Traders and Peddlers By-law
Attachment C	Windsor Temporary Vendor By-law
Attachment D	Windsor Land Use By-law Excerpt – Pesaquid Comprehensive Development District (PCDD)
Figure 1	Windsor Land Use By-law Zoning Map Excerpt – Pesaquid Comprehensive Development District (PCDD)

CHIEF ADMINISTRATIVE OFFICER REVIEW

Recommendation	
Sidewalk Cafes – Sidewalk Cafes are positive contributors to our overall economic environment, economic well being and social benefits as noted in the report. Both staff and the WTBA promote and encourage cafes in all areas of the WHRM. It is desirable to simplify the fee structure for the benefit of the business as well as the municipal administration and to eliminate as many barriers as possible to promote and encourage their existence.	
Locations	Windsor, Hantsport and all other areas in WHRM where the business environment permits.
Fees per season	• small: 100 ft² or less = \$100 • medium: 101 ft² to 300 ft² = \$150 • large: 301ft² or larger = \$200
Recommendation	
Mobile Canteens – Mobile Canteens are viewed similarly to Sidewalk Cafes as a positive contributor to our overall economic environment, economic well being and social benefits as noted in the report. Both staff and the WTBA promote and encourage mobile canteens in all areas of the WHRM. The primary issues discussed were the locations, duration of operation and a desire to have a fair fee structure not only for the right to operate the mobile canteen in the WHRM but a fee structure that aligns with the duration of the operation of the canteen if it extends beyond three (3) months or up to one (1) year.	
Locations	• Windsor, Hantsport and all other areas in WHRM. • Permitted on private property. • Permitted on public property when the canteen is in conjunction with a special event.
Fees	• \$25 / special event on public property (14 days or less) • \$100 / three (3) months

	• \$200 / an additional three (3) months on the same property • \$300 / an additional three (3) months on the same property • \$400 / an additional three (3) months on the same property • \$1000 / year on the same property
Recommendation	
Temporary Vending – Repeal this by-law and include items in the revised “Hawkers, Traders and Peddlers By-law”	

Report Prepared by: _____
Sara Poirier, Planner

Report Reviewed by: _____
Madelyn LeMay, Director, Planning and Development

Report Approved by:  _____
Mark Phillips, CAO



TOWN OF WINDSOR

SIDEWALK CAFES POLICY

PURPOSE:

The purpose of this policy is to set consistent guidelines under which owners of food establishments (“Owner”) may expand their operation, by providing a seasonal outdoor dining area, and to further add to the vitality of downtown Windsor.

DEFINITION:

For the purpose of this policy, a *sidewalk café* is defined as a group of tables and chairs, and other accessories belonging to an Owner, situated and maintained upon a public sidewalk or pedestrian mall, for the use and consumption of food and beverages sold to the public, from or in, the Owner’s adjoining indoor food and beverage establishment.

REQUIREMENTS

1) Accessory Use

Sidewalk cafés shall be located adjacent to an existing food and beverage establishment and shall be considered an *accessory use*.

2) Hours of Operation

A sidewalk café shall be operated for no longer than the operating hours of the principal use to which it is an accessory.

3) Sidewalk Use

- (a) Where the sidewalk café inhibits free flow of pedestrian traffic, in the opinion of the Town, the Owner shall provide a temporary sidewalk adjacent to the sidewalk café with a minimum width of five (5) feet, subject to the approval and specifications of the Town. Consideration will be given for accessibility and for traffic movement and safety based on approval of the Traffic Authority.
- (b) Sidewalk cafes shall not extend onto the frontage of abutting property owners, unless written permission is obtained from abutting property owners.

4) Fencing:

- (a) Sidewalk café fences shall not exceed 3 feet (1 metre) in height.
- (b) Open fencing shall be used or fabric insert panels may be used.
- (c) Fencing should incorporate a solid base perimeter to facilitate identification of the barrier by visually impaired individuals.
- (d) Any fencing located within 20 feet (6 metres) of an intersection shall not obstruct the vehicular view angles, as determined by the Town.

5) Umbrellas

All umbrellas shall be located entirely within the approved sidewalk café area.

6) Waste and Storage

- (a) The sidewalk café Owner shall maintain the sidewalk café area, and the immediately adjacent area, in a clean and safe condition at all times.
- (b) Waste receptacles and work-stations should be located along the building wall.
- (c) The Owner shall ensure any refuse originating in the café is removed from the street right-of-way.

7) Access

The Owner shall maintain a minimum width of 3 feet 6 inches (1.1metres) of unobstructed (barrier free) walkway to the entrance of the building.

8) Landscaping

Landscaping of the sidewalk café is encouraged, however, this should be of a temporary nature, unless otherwise approved. Plant material must be contained within the approved sidewalk café area.

9) Lighting

Any lighting of the sidewalk café shall be of a temporary nature and shall not project onto adjacent properties, nor conflict with traffic control indicators.

10) Sidewalk Café Furnishings

All tables, chairs and decorative accessories in the sidewalk café should be constructed using weather resistant materials.

11) Removal of Improvements

- (a) Sidewalk café furnishings, fences, awnings, screens, signs, lighting and other sidewalk café improvements must be removable and not permanently fixed in place
- (b) All objects must be contained within the area approved for the sidewalk café.
- (c) All objects must be removed during the off-season or after the sidewalk café ceases operation.

- (d) When the operation ceases, the street, sidewalk and municipal property must be restored to its original condition, to the satisfaction of the Engineer.

12) Noise

Music or other entertainment provided for patrons of a sidewalk café shall not create a nuisance to abutting property owners or neighbouring property owners. The Town reserves the right to revoke permits where this nuisance occurs.

13) Utility Access

- (a) The Town of Windsor and public utility agencies retain the right of access to the approved sidewalk café area, for the installation, maintenance and repair of pipes, cables, wires, poles, hydrants, etc., as necessary.
- (b) In case of emergency, no notice may be given, although for scheduled work, a minimum notice of 48 hours will normally be given.
- (c) Sidewalk café improvements shall be removed and reinstalled at the sidewalk cafés Owner's expense.

14) Emergency Vehicle Access

The Town of Windsor retains the right of access to the approved sidewalk café for emergency vehicle access.

APPROVAL PROCESS

- 15) No Owner shall establish a sidewalk café unless approval has been granted by the Town of Windsor;

- 16) Prior to approving the application, the Town of Windsor requires the applicant to advise abutting property owners of this proposed sidewalk use, and will encourage feedback from them, which, in turn, will be considered during the approval process and submit written confirmation of the notification.

- 17) An application may be refused, should the guidelines not be met; however, notification of this decision will be provided in writing to the applicant, along with those shortcomings identified.

18) Appeal Process

Should an application be declined, the applicant may appeal in writing, with reasons, to Council for reconsideration of that decision. Council shall deliver a written decision, through its CAO or Clerk within 60 days of receipt of the appeal letter.

19) Revocation of Approval

Where an Owner fails to conform to the terms and conditions of approval, the Town of Windsor may order that the sidewalk café be removed from the public sidewalk on which it is located. If the Owner fails to comply with such an order within 24 hours notification, the Town may take such action needed to have the sidewalk café removed.

20) Other Permits Required:

An Owner must determine from the Town whether the Owner requires permits in association with the sidewalk café. Among others,

- (a) *Building and development permits* may be required prior to the installation of barriers, structures and awnings and these shall conform to the requirements of the Building Bylaw and the Land Use Bylaw.
- (b) A *Sign Permit* may be required for any advertising within the sidewalk café, and this must conform to the Land Use Bylaw.
- (c) The approval of an application under this policy shall not in any way imply that any requirements from any Provincial licensing authority have been met. It shall be the owners responsibility to apply for and obtain any and all necessary Provincial permits and licenses.

21) Fees

- (a) There shall be an annual rental charge for the use of sidewalk café space payable to the Town, at the rate of \$0.50 per square foot (0.0929 square meters) for a term not exceeding May 15 to October 15. This rental charge is a monthly rental which shall be payable in full in advance for the entire term of the permit.
- (b) Any additional costs incurred by the Town as a result of the approval of this application i.e. additional signage shall be billed to and paid by the applicant.

22) Information Requirements

The applicant should submit a site plan, (drawn to the scale of 1 to 60)

- (a) This will show the delineated area of the proposed sidewalk café.
- (b) It will show the proposed location and placement of planters, awnings, tables, chairs, fences and all other accessories in relation to the public sidewalk; and to the indoor restaurant associated with it.
- (c) The plan shall show the location of utility poles, hydrants, parking meters, bus shelters, manholes, traffic signs, etc.

23) Design

The design of the sidewalk café should be consistent with the age and character of the building for which it serves as an accessory use. As the Town of Windsor wishes to enhance the beauty of the downtown area with aesthetically pleasing designs and plantings, the inclusion of these items shall be considered in review of all applications.

24) Insurance

- (a) The Owner of a sidewalk café must carry a minimum of \$2,000,000 liability insurance for the operation of the sidewalk café and must indemnify the Town of Windsor safe and harmless, from any and all claims of injury to persons or damage to property attributable, in whole or in part, to the existence, location and operation of a sidewalk café in the public right-of-way.
- (b) Proof of insurance shall be provided before the permit is issued.

(c) The Town of Windsor shall be notified 10 days before the cancellation of this insurance.

25) Season

Operation of the sidewalk café shall be from May 15 until October 15, unless otherwise approved.



**TOWN OF WINDSOR
BYLAW # 15
HAWKERS, TRADERS AND PEDDLERS BYLAW**

- 15.01** No person shall either as a wholesaler or retailer to businesses or residents of the Town hawk or peddle nor go from door to door or sell or offer for sale in the Town by sample or otherwise any goods, wares, merchandise or any other article or thing of whatsoever nature or kind nor engage in, carry on, exercise, or pursue the business or calling of a transient merchant who is not and who has not been for at least one year next previously a resident of the Town, shall hawk or peddle nor go from door to door or sell or offer for sale in the Town of Windsor by sample or otherwise any goods, wares, merchandise, or any other article or thing of whatsoever nature or kind nor engage in, carry on, exercise or pursue the business or calling of a transient merchant, trader, peddler, or hawker without first having obtained a license authorizing to do so.
- 15.02** No person, shall as agent, clerk, assistant, servant or employee of any other person or of any corporation who or which is not and has not been for one year next previously a ratepayer of the Town and assessed upon property therein, hawk, or peddle nor go from door to door and sell or offer for sale in the Town of Windsor by sample or otherwise any goods, wares, merchandise, or any other article or thing of any nature, kind, or description nor engage in, carry on, exercise, or pursue the business of calling of a transient merchant, trader, peddler, or hawker within the Town of Windsor, without his principal or employer having first obtained a license authorizing such principal to engage in the business of a transient merchant, trader, peddler, or hawker and to hawk, peddle and go from door to door and sell or offer for sale in the Town, goods, wares, and merchandise under the provisions of the previous Section and designating him as such agent, clerk, assistant, servant or employee.
- 15.03** Any person violating any of the provisions of Sections 15.01, 15.02 in reference to peddlers and hawkers, shall be liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1000.00), and in default of payment to imprisonment for a period of not less than ten (10) days nor more than ninety (90) days.
- 15.04** Every person applying for a license under Sections 15.01 or 15.02 of these Bylaws shall pay to the Town a license fee of Fifty Dollars (\$50.00) which license shall be valid for a period of up to three months from the date of issue.
- 15.05** Any person coming within the definitions of persons prohibited under Bylaws 15.01 and 15.02 from hawking or peddling or selling without a license, engaging in the business of hawking or peddling or going from door to door and offering

goods, wares, merchandise or other things for sale by sample or otherwise or soliciting persons to subscribe for or take any book, paper, magazine, chart, drawing, photograph, picture or thing shall when required by any person produce and show the license authorizing him to engage in said business or to sell or offer for sale the said goods, wares, merchandise, or other things or to solicit subscriptions, and if he is acting for or on behalf of any other person or corporation, also the license authorizing the said other person or corporation to engage in the said business within the Town, and on refusal or failure to produce such license or licenses as the case may be shall be guilty of the offence of hawking and peddling or soliciting subscriptions, as the case may be, without license, whether he or his employer was or was not the holder of a license.

15.06

- (a) No person shall within the Town of Windsor carry out the operation of a mobile canteen or mobile refreshment stand, without having first obtained a license for the operation of such mobile canteen or mobile stand.
- (b) A mobile canteen means any vehicle used for the displaying, storing or transporting of food and beverages for sale directly to the public by a Vendor, saving and expecting direct products of the farm, forest or sea which is required to be licensed and registered pursuant to the Motor Vehicle Act or propelled by human power whether required to be licensed or not, and includes stands;
- (c) A mobile refreshment stand means any table, showcase, bench, rack, pushcart, wagon, or any other wheeled vehicle or device, which may be moved without the assistance of a motor and which is not required to be licensed and registered pursuant to the Motor Vehicle Act, used for the displaying, storing, transporting or sale of food and beverages directly to the public by a vendor, saving and expecting direct products of the farm, forest or sea;
- (d) Every person applying for a license under this Section shall pay a fee for such license in the amount of One Hundred Dollars (\$100.00) which license shall be valid for a period of three months from the date of issue. (04/28/98).

15.07

- (a) No person shall within the Town of Windsor exercise the office or business of auctioneer nor sell at auction within the Town any real or personal property of any nature, kind, or description without first obtaining an auctioneer's license. Provided, however, that this Section shall not apply to sales at church socials or benevolent bazaars or entertainments nor to the sheriff or other officers of law selling under due process of the law.
- (b) The fee for an auctioneer's license shall be Fifty Dollars (\$50.00) for each day during which an auction is conducted.

15.08

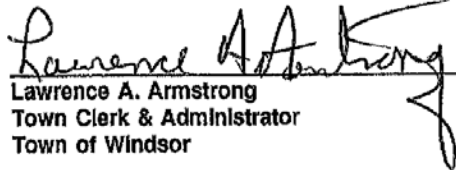
All licenses issued in the Town shall be signed by the Mayor and Chief Administrative Officer and sealed with the seal of the Town and shall bear date of the day of issue.

15.09

The sum to be paid for a license issued under any of these Bylaws shall be paid to the Town Clerk for the purposes of the Town before the issuing of the license.

- 15.10** A license shall be personal to the person to whom it is granted and it is not transferable and it shall entitle only the person named therein to sell under it.
- 15.11** Any person who fails to comply with any of the provisions of this Bylaw shall be liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1000.00), and in default of payment imprisonment for a period of not less than ten (10) days nor more than ninety (90) days.
- 15.12** This Bylaw shall not affect the products of the farm, the forest, or the sea.

I certify that the foregoing is a true copy of the by-law passed by the Town of Windsor at a meeting of Windsor Town Council held on the 28th day of April 1998.


Lawrence A. Armstrong
Town Clerk & Administrator
Town of Windsor

- (1) First notice to Council January 27, 1998
- (2) Date of first reading of by-law February 24, 1998
- (3) Date of Publication, seven day notice prior to second reading April 8 & 15, 1998
- (4) Date of second reading of by-law April 28, 1998
- (5) Date of third reading of by-law April 28, 1998
- (6) Date of publication of final passage May 6, 1998

Attachment C: Windsor Temporary Vendor By-law



TOWN OF WINDSOR BYLAW # 40

Temporary Vendor Bylaw

AUTHORITY

40.01

Sections 172 (1) (c), (f) of the Municipal Government Act provides municipalities with the power to make bylaws respecting persons, activities and things in, on or near a public place or place that is open to the public, as well as to businesses, business activities and persons engaged in business.

Section 172 (2) (e) of the MGA provides municipalities to, in any bylaw, provide for a system of licenses, permits or approvals.

INTERPRETATION

40.02

In this bylaw:

"bulk" means, but not limited to, items sold in large quantities, wholesale, or liquidation

"CAO" means the Chief Administrative Officer of the Town of Windsor;

"Council" means the Council of the Town of Windsor;

"licensing authority" means the CAO, or such employee or agent of the Town as the CAO may designate to receive applications for licenses under this by-law;

"person" means an individual, guild, agency, or body corporate;

"sell" includes selling, trading, or otherwise transferring for a valuable consideration, whether present or executor;

"Town" means the Town of Windsor;

"temporary vendor" means a person who is selling any of the goods or services set out in Schedule "A" of this by-law at a temporary location, but does not include a person who is operating or carrying on business selling the same goods or services on a permanent basis within the Town of Windsor, Town of Hantsport or Municipality of West Hants' boundaries or those exhibiting products and/or services on the Hants County Exhibition Grounds.

SALES OF GOODS AND SERVICES

40.03 Any person shall sell goods or services in the Town as a temporary vendor in accordance with a license issued pursuant to this by-law.

LICENSING

40.04 Every application for a license shall be made in writing to the licensing authority, and shall contain:

- (a) The name, mailing address, telephone number and, if available, facsimile number and e-mail address of the applicant;
- (b) The corporate or partnership name, if applicable;
- (c) A description of the goods or services the applicant proposes to sell;
- (d) The street address of the site of the proposed sale;
- (e) The dates and times of the proposed sale;
- (f) If the applicant is proposing to sell at a site of which the applicant is not the owner, written permission from the owner; and
- (g) Confirmation of liability insurance in a minimum amount of \$1,000,000 for each occurrence in respect of operations at the proposed site of sale.

40.05 After receipt of a completed application, the licensing authority shall issue a license:

- (a) upon confirming that the proposed site of the sale is zoned for such use under any applicable Land Use By-Law; and
- (b) upon receipt of the license fee.

40.06 A license issued under this by-law shall:

- (a) include the description of the goods or services and the site and times of sale referred to in section 40.04; and
- (b) be conspicuously displayed at all times at the site of the vendor's business.

40.07 A license issued under this by-law shall be in force for the period during which a temporary vendor is authorized to offer goods or services for sale, shall expire at the conclusion of that period, and must be reissued for each subsequent sale of goods or services by a temporary vendor.

40.08 Revocation

A license may be revoked where:

- (a) The licensee is in violation of any provision of this by-law or of any other by-law of the Town;

40.09 Appeals

A decision of the licensing authority to refuse to issue or to revoke a license may be appealed to Council within fourteen days of the decision of the licensing authority by written notice of appeal delivered to the CAO. Council shall convene an appeal hearing and may, following the appeal hearing, confirm or rescind the licensing authority's decision.

PENALTIES AND ENFORCEMENT

40.10 Every person who contravenes or fails to comply with any provision of this by-law or a license granted pursuant to this by-law, or any person who owns or controls premises or property used for unlicensed sale of goods or services by a transient vendor commits an offence and is liable on conviction to a penalty of not less than \$5000 and not more than \$10,000 or, in default of payment, to imprisonment for a period of not less than 30 days.

40.11 The Town may apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order where:

- (a) Land is being used in contravention of this by-law;
- (b) A person is selling goods or services without having paid the license fee required; or
- (c) A breach of this by-law is anticipated or is of a continuing nature.

LICENSE FEES

40.12 The fee for the issuance of a license under this by-law shall be the fee set out in Schedule "A" for the applicable good or service being sold.

EFFECTIVE DATE

40.13 This Bylaw shall be effective upon publication.

SCHEDULE "A"

Goods or services to be licensed

1. Bulk motor vehicles as defined in the Motor Vehicle Act of Nova Scotia but does not include motorized wheelchairs.
License fee \$250
2. Bulk furniture normally sold at a furniture or department store in Windsor but does not include furniture sold at a licensed auction.
License fee \$250
3. Bulk appliances normally sold at a furniture store, hardware store or department store in Windsor but does not include appliances sold at a licensed auction.
License fee \$250
4. Bulk building materials used to construct/renovate home and/or commercial buildings. License fee \$250

CAO/Clerk's Annotation (Office Use Only)

Date of first reading:	December 20, 2011
Dates of advertisement of Notice of Intent to Consider:	January 05 & February 02, 2012
Date of second reading:	February 28, 2012
*Date of advertisement of Passage of Bylaw:	March 08, 2012
Date of mailing to Minister a certified copy of Bylaw:	March 12, 2012

I certify that this Temporary Vendors Bylaw #40 was adopted by Council and published as indicated above.



Louis Coutinho, CAO
Town of Windsor

15.0 PESAQUID COMPREHENSIVE DEVELOPMENT DISTRICT

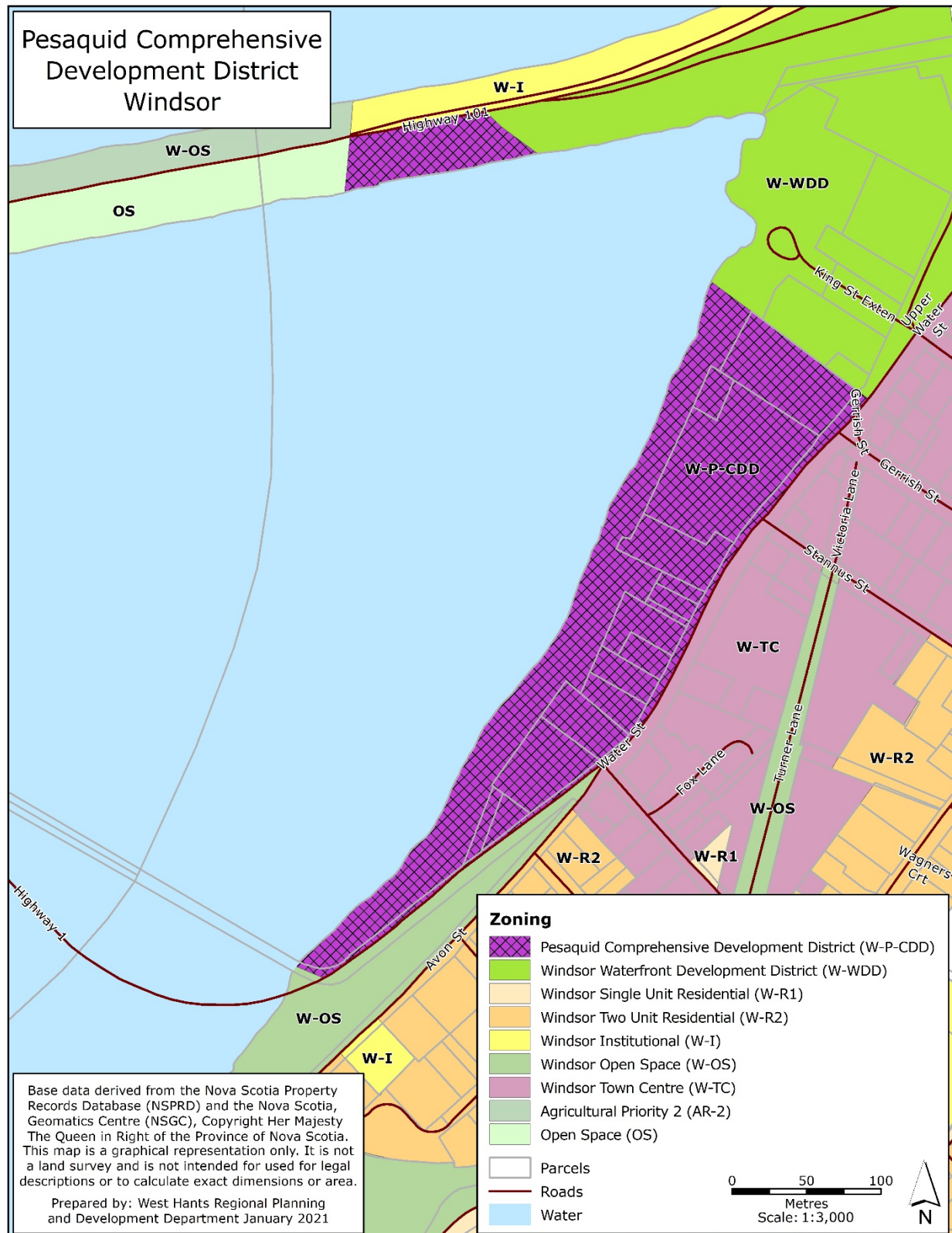
As-of-Right Development

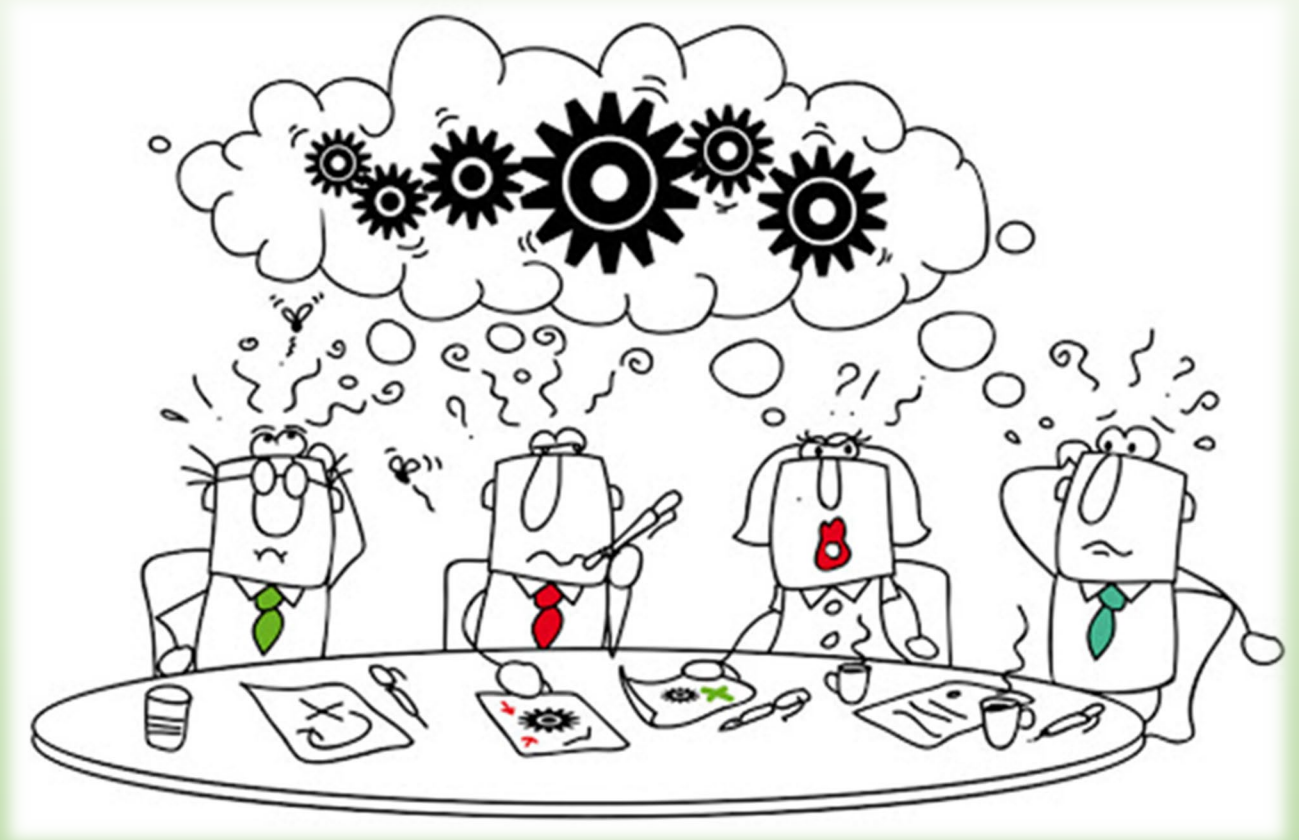
- 15.1 The following categories of development shall be permitted in the Pesaquid Comprehensive Development District (P-CDD) zone as-of-right:
- (a) change in use in an existing building, provided the use is permitted in the Town Centre (TC) zone;
 - (b) additions not exceeding 1,000 ft² (92.90 m²) in floor area, alterations, repairs and renovations to existing buildings, subject to Town Centre (TC) zone requirements;
 - (c) accessory structures not exceeding 500 ft² (46.45 m²) in floor area, subject to Town Centre (TC) zone requirements; and
 - (d) temporary retail sales and food service kiosks subject to Section 15.2.

Special Requirements for Temporary Retail Sales and Food Service Kiosks

- 15.2 The following special requirements shall apply to the development of temporary retail sales and food service kiosks in the Pesaquid CDD:
- (a) kiosks shall be permitted only on land owned by the Town of Windsor; provided, however, that no kiosk shall be located on any public street or sidewalk;
 - (b) the applicant has entered into a lease or other written agreement with the Town of Windsor authorizing the use of the Town-owned property;
 - (c) the total gross floor area of the kiosk shall not exceed 100 ft² (9.29 m²);
 - (d) no kiosk shall remain in place for more than six months;
 - (e) retail sales shall be limited to gifts, arts and crafts, souvenirs, farm produce and other similar items;
 - (f) signage shall be limited to one facial wall sign not exceeding 5 ft² (0.46 m²) in sign area; and
 - (g) notwithstanding the parking requirement for commercial uses set out in Section 5.25, off-street parking shall not be required for temporary retail sales and food service kiosks in the Pesaquid CDD.
- 15.3 Temporary retail sales and food service kiosks, mobile canteens, and similar uses erected for a special occasion or holiday and removed within 14 days after the close of the event shall be exempt from the requirements of Section 15.2 and shall be developed in accordance with Section 5.36 (b). Such uses shall not require a development permit.

**Figure 1 Windsor Land Use By-law Zoning Map Excerpt
Pesaquid Comprehensive Development District (PCDD)**





Planning Process
COTW February 9, 2021
Madelyn LeMay

REQUEST

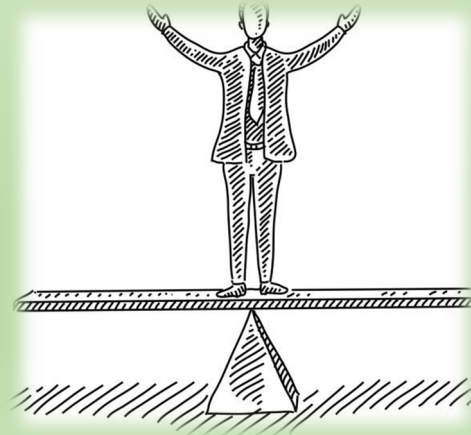
January 12, 2021:

"that Council direct staff to look at the pros and cons in shortening the planning process".

- report prepared in response to the motion
- report contains details; presentation a summary
- questions presented to determine whether changes should be made

TOPIC

- “planning process”: process used for development agreements & amendments to development agreements (development agreements) & text & map amendments to planning documents
- doesn't refer to the way applications for development permits and/or building permits are considered
- comments represent opinions of 3 licensed professional planners



STATUTORY TIME LIMITS

FOR PLANNING PROCESSES

- no statutory time limit for applications for development agreements as they are a negotiated contract
- no statutory time limit for completion of an MPS amendment and no appeal possible to NSUARB: any change is a change in policy and there is no requirement that Council either change its policy or do so within a specific time frame (some places consider these only once or twice a year)
- statutory time limit for a LUB amendment application: the date for public hearing must be published within 120 days of a complete application being received [~ 4 months to 1st reading]

STATUTORY TIME LIMITS

FOR PERMITS

Note: A development permit must be issued before a building permit (for new construction) can be issued

- development permits: Development Officer has 14 days to determine whether application is complete and 30 days to issue or refuse the development permit
- no time limit for issuing a building permit

WHRM

- ~ 75% of building permits are issued in less than 14 days from complete application; the remainder are issued within the statutory time limit

PUBLIC PARTICIPATION PROGRAM (PPP)

- minimum requirements established in MGA
- determined by Council
- creates initial part of planning process:

Public Information Meeting ↩️ Staff Review



Hantsport or Windsor Area Advisory Committee Review and Recommendation



Planning Advisory Committee Review and Recommendation



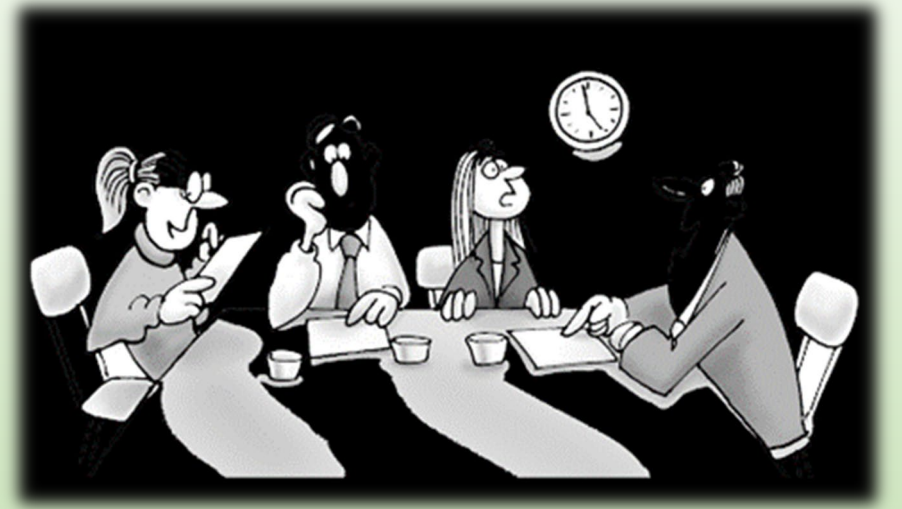
- these are the parts of the process Council can change
- remainder of the process required by MGA
- MGA notes that a LUB amendment doesn't need a PPP; WHRM includes LUB amendments in the PPP
- each section will be considered individually

Requirement

- not required by PPP or MGA

Pros

- ensures application complete
- 2 types of evaluation:
 - evaluate development agreement & LUB amendment applications based on the criteria established by Council in MPS & any relevant information in LUB
 - evaluate MPS amendments in relation to other MPS policies, the overall intent of Council as expressed in the MPS and good planning principles and practices



STAFF REVIEW

- require comments from subject-area experts: Municipal Engineer, NS Department of Transportation & Infrastructure Renewal & Fire Departments etc.
- provides information so committees can make an informed recommendation & Council can make an informed decision

Cons

- takes time to gather expert opinions and prepare report

Planners Conclusion

- not reasonable to remove the staff report as committee or Council would be considering the application without the information needed to make an informed decision

CAO Conclusion

- CAO supports "Staff Conclusions"

Question: should staff reports still be required for planning applications?

PUBLIC INFORMATION MEETING (PIM)

Requirement

- MGA requires a Public Participation Program (PPP) be completed before First Reading of an amendment or DA
- WHRM's PPP requires a Public Information Meeting (PIM)

Purpose

- ensure the public knows what the request is, what will be considered when the application is reviewed & provide early opportunity for public questions & comment

Pros

- describes request and considerations in detail
- early opportunity for comment from the public

Cons

- report not yet completed and so answers not available at PIM
- adds ~ 2 weeks to process
- outside Windsor and Hantsport, adds a meeting for a District Councillor to Chair

PUBLIC INFORMATION MEETING (PIM)

Planners Conclusion

- planning staff are unable to recommend anything else which would be as effective as a well-advertised PIM

CAO Conclusion

- CAO supports "Staff Conclusions" & notes:
 - Public Participation Program a requirement of MGA
 - PIM is the chosen mechanism to satisfy the PPP requirement. I agree the PIM is the most effective and impactful manner to engage the public and specifically members of the public most impacted by the issue requiring review

Question: is there something COTW thinks could replace a PIM?

ADDITIONAL QUESTION

- are the methods of advertising the PIM for an application approved for use during the Provincial State of Emergency appropriate or should the Enhanced Notification Process be changed??

	"USUAL"	"PROVINCIAL STATE OF EMERGENCY"
Notice Placed in paper	X	X
Sign Placed on property	-	X
Letters sent to property owners	within 300'	within 500'



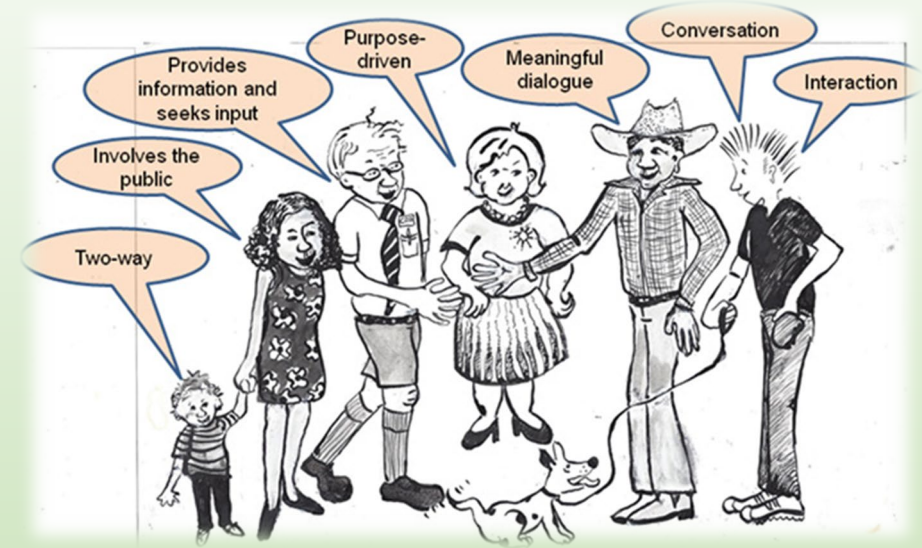
AREA ADVISORY COMMITTEES

Requirement

- none

Purpose

- ensure specific voice of the community is heard
- provide guidance to PAC and Council regarding a specific geographic area



AREA ADVISORY COMMITTEES

Planners Conclusion

- do not agree that a high level of public engagement is maintained without the AACs; without AACs only the minimum requirements of MGA are being met
- without AACs, participation in planning in Hantsport and Windsor will drop significantly
- AACs add a layer of transparency to planning process
- AAC members:
 - bring unique knowledge & skills & a fresh & local perspective
 - know the history of planning in their community
 - serve as advocates for planning in their community
 - articulate the goals and objectives of the community – those living outside it cannot

AREA ADVISORY COMMITTEES

- able to focus on one community; PAC & Council have the interests of the Region foremost
- the only change in “staffing capacity” would be removing attendance at 2 meetings each month (provided there are no PIMs in those communities that month)
- Review of Planning Documents:
 - 3 sets of planning documents now being combined into 1 set, beginning with the MPS policies
 - without AACs there would not be re-structured documents to work from – each was approved by individual committees within the last year (HAAC, Windsor PAC and WH PAC)
 - general policies now being considered by each AAC & PAC for use in the MPS for the Region
 - within the MPS for the Region will be secondary/ community plans for Windsor and Hantsport community, or “grass roots” input needed to determine community goals and objectives

Planners Conclusion

- AACs should be kept as they are an important part of public engagement

AREA ADVISORY COMMITTEES

CAO Perspective

- To reduce repetitive presentations of the same materials
- There remain high levels of opportunities for the public to provide feedback through maintaining PIMs, PACs, 1st Readings and 2nd Readings.
- Community representation at the governance / committee levels is reduced due to the removal of AACs but preserved through a PAC community appointment as well as through the District Councilor representation at PAC and / or Council settings.
- Reduce staffing administration and governance process associated with AAC citizen recruitment and appointment.
- The reduction of governance process by removing AAC.
- Increase existing staffing capacity.

AREA ADVISORY COMMITTEES

CAO Perspective

The following estimated cost efficiencies will be recognized:

Estimated annual cost or value assumptions

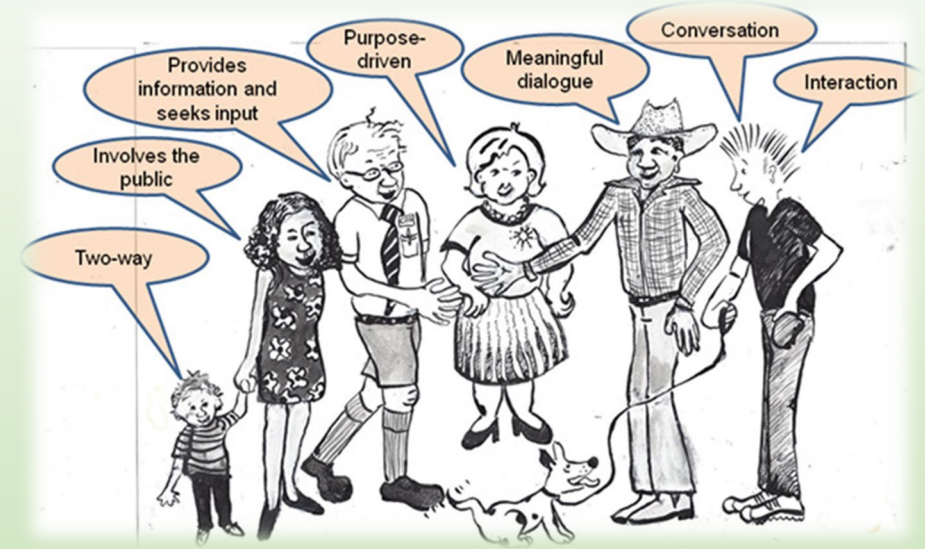
- 11 meetings per AAC per year
- Meeting prep and minute taking costs
- Resident member stipends (13 residents in total)
- OT value for 2 Planners attending each meeting (wage value)
 - Estimated annual cost or value for 1 AAC for 1 hr meeting \$11,900
 - Estimated annual cost or value for 2 AACs for 2 hr meeting \$18,000

CAO Perspective

CAO recommends:

- that the HAAC and WAAC be removed from the planning governance process effective March 31, 2021; and
- PAC to be :
 - one (1) member of ~~WAAC~~ Windsor Community Representative
 - one (1) member of ~~HAAC~~, Hantsport Community Representative and
 - one (1) Resident member **at large** who is not a member of Council or a Municipal employee.

AREA ADVISORY COMMITTEES



Questions:

- does COTW want to keep AACs?
- should the number of members on AACs be reduced?

Requirement

- none

Purpose

"to advise respecting the preparation or amendment of planning documents and respecting planning matters generally"

Pros

- also acts as Heritage Advisory Committee
- provides the voice of residents who are not Council members
- provides a more thorough review of planning matters than Council generally has time or opportunity to provide
- replacing PAC/HAC with COTW would likely mean a second COTW meeting each month

Cons

- repetition of presentations considered by AAC and then PAC, so Council members on PAC/HAC hear a presentation twice (PAC/HAC & Council)
- members and staff have one (1) evening PAC meeting a month to attend

PLANNING ADVISORY COMMITTEE

Planners Conclusion

- PAC should be maintained,

CAO Conclusion

- CAO supports “Staff Conclusions” and notes that suggested PAC Resident member appointments be amended to be:
 - one (1) member of Windsor Community Representative
 - one (1) member of Hantsport Community Representative and
 - one (1) Resident member **at large** who is not a member of Council or a Municipal employee.

Questions:

- **does COTW wish to keep the Planning Advisory Committee**
- **should the number & representation of members on PAC be reduced, increased or changed?**

PRESENTATIONS

Presentations are given at:

- Area Advisory Committee to provide information for discussion
- Planning Advisory Committee to provide information for discussion
- First Reading so Council can determine whether it wishes to move forward with an application or project
- Public Hearing so that the public and Council hear how the application or project meets/doesn't meet established criteria and hear all comments about the application

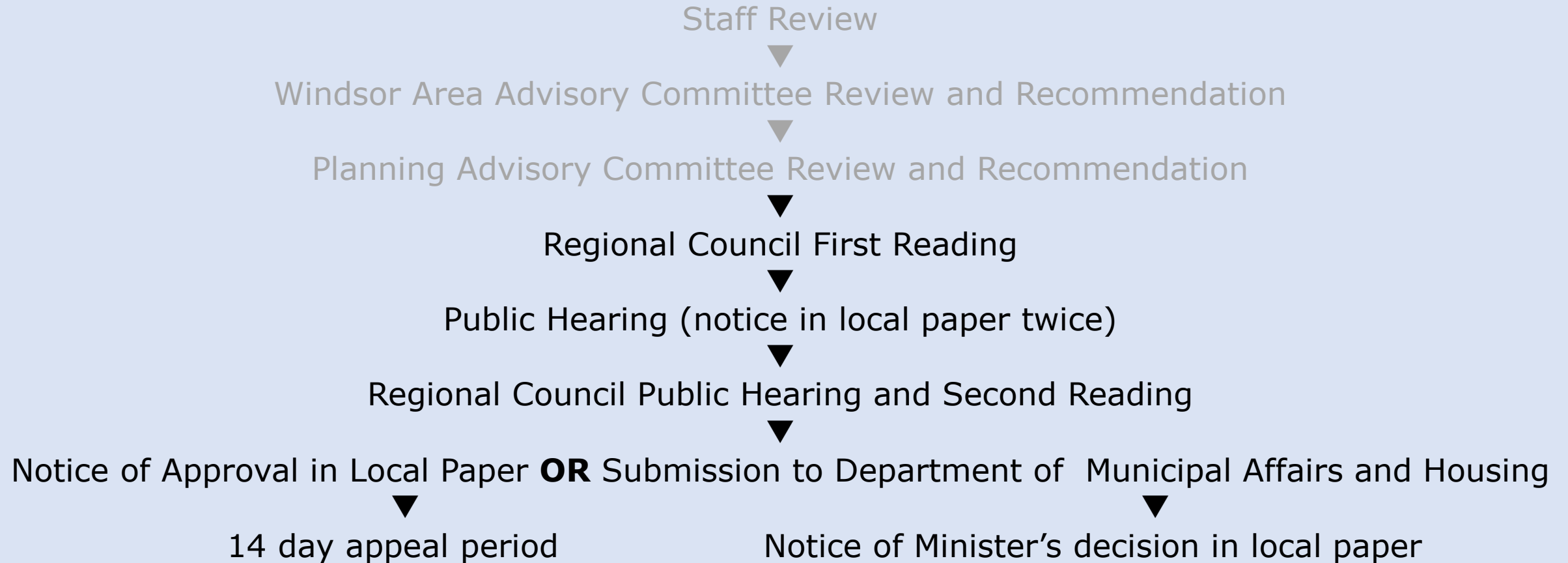
Planners Conclusion

- presentations (not reports) could be eliminated at AAC (except for a PIM) if repetition is a serious concern & members read reports thoroughly; discussion would still be held

Question:

- **should presentations still be done by planners at AAC and PAC meetings?**

MUNICIPAL GOVERNMENT ACT REQUIREMENTS



MUNICIPAL GOVERNMENT ACT REQUIREMENTS

First Reading

Council is effectively stating that it will amend the MPS or LUB or enter into a proposed development agreement unless something is brought forward at the Public Hearing which causes it to not approve the amendment or development agreement

MUNICIPAL GOVERNMENT ACT REQUIREMENTS

Public Hearing

a presentation is made, usually at a Council meeting, to advise the public of an intended amendment or development agreement & advise Council whether the application meets its criteria

- can be held at a different time than Council
- only those members of Council present at a public hearing can vote on the motion at Council
- Council cannot consider information received regarding an application following a public hearing



MUNICIPAL GOVERNMENT ACT REQUIREMENTS

Second Reading

- when Council makes the final decision. In WHRM this is usually the same night as a public hearing

Notification/Appeal

- for an amendment to the LUB or for a development agreement, 1 notice placed in paper; starts a 14-day appeal period
- an MPS amendment is sent to the Minister to determine whether approval is needed and to have approval granted if required

MUNICIPAL GOVERNMENT ACT REQUIREMENTS

Question:

Is Council willing to schedule an additional Council meeting on the 3rd week of any month in which a Public Hearing is needed?

WWH

WINDSOR / WEST HANTS

TOGETHER

MEETING SCHEDULE

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 HAAC	3	4 WAAC	5	6
7	8	9 COTW	10	11 PAC	12	13
14	15	16	17	18	19	20
21	22	23 Council	24	25	26	27

PROCESS - LOCAL

Staff Review ▼	Report complete mid February
Public Information Meeting (1 notice in paper; letters to neighbours) ▼	PIM February 10
Hantsport or Windsor Area Advisory Committee Review and Recommendation ▼	Report sent out February 23 Meeting March 2
Planning Advisory Committee Review and Recommendation ▼	Report sent out March 3 Meeting March 11

PROCESS MGA

Council First Reading ▼			Report sent out March 12 Meeting March 23		
Public Hearing (14 days notice in paper; letters to neighbours) ▼			April 27		
Council Second Reading ▼			April 27		
Land Use By-law Amendment or Development Agreement		Municipal Planning Strategy Amendment	Land Use By-law Amendment or Development Agreement	Municipal Planning Strategy Amendment	
Notice of Approval in Paper ▼	OR	Ministerial Approval ▼	Notice May 4	OR	April 28
14 day Appeal Period		Notice of Ministerial Approval	May 28		Determined by Minister



WEST HANTS REGIONAL MUNICIPALITY

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: Mayor and Members of Council

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: 2021-02-09

Subject: "Pros and cons in shortening the planning process"

1.0 LEGISLATIVE AUTHORITY

WHRM Public Participation Program Policy
WHRM Meeting and Procedural Policies
WHRM Committee Terms of Reference
WHRM Enhanced Notification Process
Municipal Government Act

2.0 BACKGROUND

On January 12, 2021, Council passed the following motion:
"that Council direct staff to look at the pros and cons in shortening the planning process". This report is prepared in response to this motion.

The term "planning process" refers to the process used for consideration of development agreements and amendments to development agreements (referred to as development agreements in this report) and both text and map amendments to planning documents.

The term "planning process" does not refer to the way applications for development permits and/or building permits are considered by the Planning and Development Department. Applications for permits are considered using an application tracking system and respecting the statutory time requirements for development permits established in the Municipal Government Act (MGA s. 245).

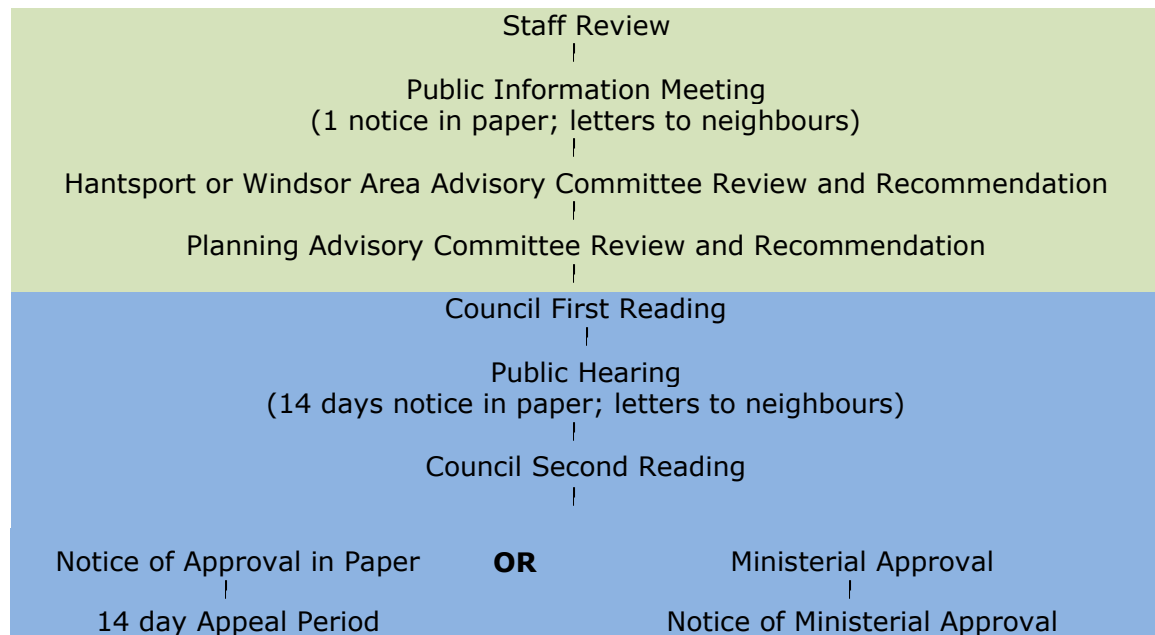
3.0 DECISION REQUEST

Staff requests direction from Committee of the Whole (COTW) on whether changes should be made to the process used for considering applications for amendments to planning documents and development agreements. Should COTW wish to make changes, responses to the questions which appear in Section 4.5 of this report would guide the work required for the changes.

4.0 DISCUSSION

4.1 Process for Applications for Development Agreements and Amendments Determined by WHRM Public Participation Program

The following chart will be familiar to all Council members as a version of it appears in all reports and presentations regarding planning document amendments or development agreements. It represents the major steps in the process used for amendments and development agreements.



The process for applications and amendments is divided into two (2) parts:

(1) the part established by WHRM Council through:

- WHRM Public Participation Program Policy (PPP) (Attachment A) ;
 - WHRM establishment of Committees in the Meeting and Procedural Policies (Attachment B)
 - Committee Terms of Reference (Attachment C),
- shown in green above, and

- (2) the part determined by the MGA (Attachment E) shown in blue above.
This will be discussed only briefly since Council is not able to change it.

The following material provides information on each section of the chart.

4.1.1 Staff Review and Report

Source/Authority

There is no specific authority or requirement for staff reports regarding applications. Staff reports have been prepared for applications since the regulations were enacted in Hantsport, Windsor and West Hants.

Purpose

To ensure Council has the information needed to make an informed decision.

Practice

When an application is received, staff review the submission and ensure all needed information is included. A complete application includes the completed application form, authorization from the property owner, processing and advertising fees, and any additional material that may help staff make their recommendation and Council make its decision (e.g., site plan, traffic impact study). The application is considered complete only when the applicant has submitted all of the necessary documents.

Once an application for amendment to the Land Use By-law (LUB) or a development agreement is complete staff considers the application and evaluates it based on the criteria for applications established by Council in the Municipal Planning Strategy (MPS) and any relevant information in the LUB.

If the application is for an MPS amendment, the application is examined in relation to other policies in the MPS, the overall intent of Council as expressed in the MPS and planning principles and practices.

During the review process, staff request comments on the application from subject-area experts such as the Municipal Engineer, Department of Transportation and Infrastructure Renewal and Fire Chiefs. These comments are then incorporated in the report and any proposed development agreement.

Requirement and Opportunity for Change

- there is no requirement for a staff report for an application in either the MGA or the PPP.

Pros

- the staff recommendation reports evaluate any request for change against Council's policies and regulations;

- requesting comment from subject-area experts is needed in order to determine whether the criteria established by Council have been met and ensure that the applicant is aware of any potential requirements early in the process (e.g., the Building and Fire Official may require fire resistant material to be installed prior to starting a business, or the Traffic Authority may require an alternative access/egress from the property based on the requested use);
- as part of the staff review, draft development agreements are reviewed by the Municipality's legal consultant prior to the staff report going to the committee;
- staff are provided an opportunity to explain why certain amendments or clauses in development agreements are recommended based on their research and consideration of the application;
- reports follow a standard process and format for all applications; and
- material is presented in as straight forward a fashion as possible for somewhat technical material.

Cons

- preparation of reports takes staff time and increases the time to consider any application.

Staff Conclusion

- it wouldn't be reasonable to remove the staff report as the committee or Council would be considering the application without the information needed to make an informed decision.

4.1.2 Public Information Meeting

Source/Authority

- MGA 204 requires each municipality to have a Public Participation Program (PPP) and MGA 205(4) requires that the PPP be completed prior to the first notice of a public hearing; and
- WHRM PPP Policy (Attachment A) requires a Public Information Meeting (PIM).

Purpose

- To ensure the public knows what the requested amendment or development agreement is, what will be considered when staff reviews the application, and provide an early opportunity for the public to ask questions about or comment on an application.

Practice

- a PIM is held for each application at the beginning of the process;
- a notice is placed in the local paper seven (7) days prior to the PIM;

- property owners within 300' (500' during the Provincial State of Emergency) are notified by mail;
- a sign is placed on the property (during the Provincial State of Emergency);
- PIM:
 - usually a PIM would be held:
 - for applications related to the Hantsport planning documents, at the beginning of a Hantsport Area Advisory Committee (HAAC) meeting;
 - for applications related to the Windsor planning documents or a development agreement in the community of Windsor, at the beginning of a Windsor Area Advisory Committee (WAAC) meeting;
 - for a text amendment to the West Hants Municipal Planning Strategy (WHMPS) or Land Use By-law (WHLUB), at the beginning of a Planning Advisory Committee (PAC) meeting; and
 - for a MPS or LUB map amendment or development agreement, in a location accessible to the public in the District where the property is located. (Note: no in-person meetings in individual Districts have been held as the Provincial State of Emergency was declared prior to the need arising. These meetings would be chaired by the District Councillor once the Provincial State of Emergency has been lifted)
 - during the Provincial State of Emergency:
 - PIMs are held by placing a recorded presentation on the website outlining the request and what policies will be considered when reviewing the application; comments are encouraged until a specified date by regular mail, e-mail, drop off at the office or telephone call to the planner responsible; comments are collected and provided to the relevant Area Advisory Committee or Planning Advisory Committee for consideration along with the planning report prepared during the staff review (Attachment D).

Requirement and Opportunity for Change

- MGA does not require a PIM;
- PIM could be removed from the PPP;
- staff have found that more comments are received with a sign being placed on the property and the presentation being placed on the website. Staff recommends that both the sign and website presentation be continued even after the State of Emergency restrictions are lifted and the Enhanced Notification Process is no longer required.

Pros

- a PIM provides the earliest opportunity for the public to comment or ask questions about a proposal;
- a PIM provides the public the details of the application in a more comprehensive manner than a letter, newspaper ad or staff report;

- engaging residents first through a PIM ensures the transparency of the application process;
- residents often simply have questions but are prepared to oppose an application if they do not understand what the application is about;
- staff are able to address concerns raised at the PIM in the presentation to the Area Advisory Committee or the Planning Advisory Committee;

Cons

- a PIM generally slows down the process by about two (2) weeks;
- outside of the communities of Windsor and Hantsport, a PIM adds a meeting for a District Councillor to Chair, adding to their workload;

Staff Conclusion

- staff are unable to recommend anything else which would be as effective as a well-advertised PIM.

4.1.3 HAAC or WAAC Review and Recommendation

Source/Authority

- MGA 201;
- WHRM Meetings and Procedural Policy (Attachment B); and
- WHRM Committee Terms of Reference (Attachment C).

Purpose

- to ensure the voice of a community is heard when considering applications in the community. Each Area Advisory Committee (AAC) was established to provide guidance regarding a specific area of the Region. In addition to Council representation, the Hantsport Area Advisory Committee (HAAC) has members who are residents of Hantsport and the Windsor Area Advisory Committee (WAAC) has members who are residents of Windsor. HAAC considers applications related to Hantsport; WAAC does the same for Windsor. Applications related to the West Hants MPS or LUB are considered by only the Planning Advisory Committee.

Practice

- One (1) meeting of each of HAAC and WAAC is held within the first two weeks of each month (except August and December in accordance with the Meetings Procedural Policy);
- Staff provide the staff recommendation report and PIM notes to the committee;
- staff provide a presentation on the application, staff recommendation and PIM notes to the committee at the meeting.

Requirement and Opportunity for Change

- the MGA enables Area Advisory Committees but does not require them.

- Council may:
 - change the number of members on the AACs, as long as there are members of the public; or
 - determine that it no longer wants AACs and remove them from the relevant documents and processes (Council and Committee Procedural Policies, Terms of Reference, Public Participation Program).

Pros

- typically, AAC members will inform residents in the community of an upcoming public meeting and comment period, in addition to the other methods of advertising;
- AACs determine whether the application meets Councils criteria as set out in the MPS;
- AACs are a positive influence on PAC's recommendations as members must live in the community; and
- AACs provide more than one voice at PAC regarding a recommendation as both the Chair and a member of Council from the District are on the AAC.

Cons

- there is repetition of presentations regarding reports considered by AAC and then PAC, so one (1) member of PAC must listen to a presentation regarding a proposal twice;
- some Council members have one (1) evening AAC meeting a month to attend.

Staff Conclusion

- if public engagement is important, then hearing local voices on all issues is more important than the inconvenience of repeated presentations and attending evening meetings;
- presentations (not reports) could be eliminated at AAC if repetition is a serious concern and members read reports thoroughly; discussion would still be held;
- without AACs all applications for amendment or development agreement in the Region would go to the PAC for review and recommendation;
- without the AACs, the only addition to the bare minimum required by the MGA is the PAC. One individual from a community is not sufficient representation; with the small number of Councillors on PAC, that individual may be the only representative of that community;
- one additional meeting for each process initiated in either Hantsport or Windsor would be required as PIMs are now held "at" the AAC meeting and a PIM would still be required. These small costs cannot be calculated prior to applications being received and would slightly reduce the savings noted by the CAO. Planners overtime will not be much reduced as they will still need to present at PIMs and each usually takes time rather than being paid out for overtime.

4.1.4 Planning Advisory Committee

Source/Authority

- MGA 201; and
- WHRM Meetings and Procedural Policy (Attachment B).

Purpose

- the MGA specifies that a PAC is “to advise respecting the preparation or amendment of planning documents and respecting planning matters generally”.

Practice

- One (1) meeting of PAC is held on the second Thursday of each month (except August and December in accordance with the Meetings Procedural Policy);
- for applications outside Windsor or Hantsport, staff provide a staff recommendation report and PIM notes to the committee;
- for applications in either Windsor or Hantsport, staff provide the AAC recommendation along with the staff report and recommendation;
- staff also provide a presentation on the application, staff recommendation, AAC recommendation where applicable, and PIM notes to the committee at the meeting.

Requirement and Opportunity for Change

There is no requirement in the MGA to have a PAC. When there is no PAC, all matters are considered by Council alone and PIMs can be hosted by the District Councillor in a location within the District or just prior to a COTW or Council meeting.

- removing the Planning Advisory Committee will place the weight of knowing all three sets of planning documents thoroughly and making all decisions without recommendation from local residents on Council; and
- PAC also acts as the Heritage Advisory Committee.

Council may:

- change the number of members on PAC, as long as there are members of the public on PAC; or
- determine that it no longer wants a Planning Advisory Committee.

Pros

- PAC provides the voice of residents who are not Council members;
- PAC takes much of the discussion time for planning proposals from Council and provides a more thorough review than Council generally has time or opportunity to provide; and
- PAC determines whether the application meets Council’s criteria as established in the MPS.

Cons

- as noted with AACs, there is repetition of presentations regarding reports considered by AAC and then PAC, so a Council member must listen to a presentation regarding a proposal twice: at PAC and again at Council;
- both members and staff have one (1) evening PAC meeting a month to attend.

Staff Conclusion

- if public engagement is important, then hearing local voices on all issues is more important than the inconvenience of repeated presentations and attending evening meetings;
- presentations (not reports) could be eliminated at PAC if members read reports thoroughly; discussion would still be held; and
- adding planning matters to Committee of the Whole would likely necessitate a second Committee of the Whole meeting each month due to the amount of material for each agenda.

4.2 Process for Applications for Development Agreements and Amendments Determined by Municipal Government Act

All applications must follow the process established in the MGA:

First Reading: Council is effectively stating that it will amend the MPS or LUB or enter into a proposed development agreement unless something is brought forward at the Public Hearing which causes it to not approve the amendment or development agreement;

Public Hearing: this is when a presentation is made to the public, usually at a Council meeting, to advise the public of an intended amendment or development agreement. The public hearing could be held at a different time, but only those members of Council present at a public hearing can vote on the motion at Council, and Council cannot consider information received regarding an application following a public hearing; and

Second Reading: this is when Council makes the final decision. In WHRM this is usually held the same night as a public hearing and;

- in the case of an amendment to the LUB or a development agreement, a notice is placed in the paper and starts a 14-day period during which the decision of Council can be appealed to the Nova Scotia Utility and Review Board; or
- in the case of an MPS amendment, the amendment is sent to the Minister to determine whether approval is needed

and to have approval granted if required.

There is no real opportunity to speed up this part of the process unless Council is willing to schedule an additional Council meeting on the 3rd week of any month in which a Public Hearing is needed. This would shorten the process by one (1) week.

4.3 Timelines

The approximate timeline for the process is shown below, using an application completed December 1, 2020, as an example:

Staff Review ↓		Report complete mid February	
Public Information Meeting (1 notice in paper; letters to neighbours) ↓		PIM February 10	
Hantsport or Windsor Area Advisory Committee Review and Recommendation ↓		Report sent out February 23 Meeting March 2	
Planning Advisory Committee Review and Recommendation ↓		Report sent out March 3 Meeting March 11	
Council First Reading ↓		Report sent out March 12 Meeting March 23	
Public Hearing (14 days notice in paper; letters to neighbours) ↓		April 27	
Council Second Reading ↓		April 27	
Land Use By-law Amendment or Development Agreement		Land Use By-law Amendment or Development Agreement	Municipal Planning Strategy Amendment
Notice of Approval in Paper ↓	OR	Ministerial Approval ↓	Notice May 4
14 day Appeal Period		Notice of Ministerial Approval	May 28
			OR
			April 28
			Determined by Minister

The part of the process determined by the PPP has been condensed so that AAC and PAC meetings all occur in time for an application to receive First Reading at Council in the same month as the AAC first considers the application, as shown in this typical month:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 HAAC	3	4 WAAC	5	6
7	8	9 COTW	10	11 PAC	12	13
14	15	16	17	18	19	20

21	22	23 Council	24	25	26	27
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The total time for consideration of an application is approximately six (6) months once a complete application is received. Some proposals take longer if more information is requested / required at any point in the process. Development agreements can take longer as staff must first draft a development agreement before a staff report can be prepared, and the preparation of a development agreement is a negotiation.

4.4 PLAN REVIEW

The PPP requires Council to establish a public engagement plan for review of the planning documents. The review is at an early stage; the process is more complex than most as we are comparing and combining three (3) sets of planning documents as we proceed – Hantsport, Windsor and West Hants. A formal public engagement plan will be recommended to WHRM once we are closer to having a draft document for public review.

In 2018, staff gave West Hants Council a generalized timeline and process for the Plan Review (Attachment F). As a result of consolidation and the Provincial State of Emergency, some public consultation, primarily with the community of Windsor, remains to be done. Staff continues to work on preparing the existing documents, combining material, recommending policies for the Regional document and drafting the proposed documents. Some areas of the documents have recently been considered by the AACs and PAC; PAC has recommended that the material produced be used when drafting the revised documents. The major area completed is the definition section of the LUB; many of the general policies of the MPS have been recommended to PAC.

The review is the area where the most repetition is experienced as the material forms the base of the future planning documents. Input from the AACs is needed regarding the general policies, for example, as these policies varied among the planning documents, and the AACs can often provide the rationale for decisions made by other Councils in the past.

4.5 QUESTIONS for COTW

Responses to the following questions would guide the work to effect changes to the process:

- should staff reports be required for planning applications?
- is there something which COTW considers could replace a public information meeting?
- Should the Public Participation Program Policy be amended to remove the requirement for a Public Information Meeting, and if so, what would replace it?
- are the methods of advertising an application approved for use during the Provincial State of Emergency appropriate?

- does COTW wish to maintain the Area Advisory Committees or does it wish to remove the requirement from WHRM documents?
- should presentations still be done by planners at AAC and PAC meetings? (Note: a presentation is needed at the Public Hearing in order to inform the public)
- should the number of members on the AACs be reduced?
- does COTW wish to maintain the Planning Advisory Committees or does it wish to remove the requirement from WHRM documents?
- should the number of members on PAC be reduced or increased?
- Is Council willing to schedule an additional Council meeting on the 3rd week of any month in which a Public Hearing is needed?

5.0 NEXT STEPS

Council will need to determine any changes it would like for the planning process.

6.0 FINANCIAL IMPLICATIONS

This report does not have any financial implications for WHRM. Decisions Council makes as a result of the report may reduce Committee expenditures or change Council expenses.

7.0 ATTACHMENTS

Attachment A	Public Participation Program Policy
Attachment B	Meeting and Procedural Policies
Attachment C	Committee Terms of Reference
Attachment D	Enhanced Notification Process
Attachment E	Municipal Government Act Excerpt
Attachment F	West Hants Review Timeline

CHIEF ADMINISTRATIVE OFFICER REVIEW

I have provided comments on the report in sequence of the sections provided by Director LeMay. Further, I have discussed my comments with the Director so that any difference of opinions are transparent.

My comments reflect my perspective on the current levels of governance, staff / resource requirements and appropriate levels of public engagement both at the committee levels and through the public feedback process in relation to planning process. I believe my comments provide improved efficiencies for staff costs and redundancy of process as well as maintaining a high level of public engagement.

4.1.1 Staff Review and Report Section

Staff Conclusion Section – CAO supports “Staff Conclusions”

4.1.2 Public Information Meeting

Staff Conclusion Section – CAO supports “Staff Conclusions”. Note: It is important to distinguish that a Public Participation Process (PPP) is a requirement of the Municipal Government Act (MGA). The Public Information Meeting (PIM) is the chosen mechanism to satisfy the PPP requirement. I agree the PIM is the most effective and impactful manner to engage the public and specifically members of the public most impacted by the issue requiring review.

4.1.3 HAAC or WAAC Review and Recommendation Section

Staff Conclusion Section – CAO Comments and Recommendation

I recommend that the HAAC and WAAC be removed from the planning governance process effective March 31, 2021

Further

That the Meeting and Committee Procedural Policy be amended by removing Section I “Windsor and Hantsport Area Advisory Committees” to accommodate this change

Further

That section 3.1 (a) of APPENDIX K “Planning Advisory/Heritage Advisory Committee” in the Meeting and Committee Procedural Policy be amended as follows:

one (1) member of ~~WAAC~~ Windsor Community Representative
one (1) member of ~~HAAC~~, Hantsport Community Representative and
one (1) Resident member **at large** who is not a member of Council or a Municipal employee.

Rationale for Recommendation

- To reduce repetitive presentations of the same materials
- There remain high levels of opportunities for the public to provide feedback through maintaining PIMs, PACs, 1st Readings and 2nd Readings. Ms. LeMay does not agree that a high level of public engagement is maintained without the Area Advisory Committees.
- Community representation at the governance / committee levels is reduced due to the removal of AACs but preserved through a PAC community appointment as well as through the District Councilor representation at PAC and / or Council settings.
- Reduce staffing administration and governance process associated with AAC citizen recruitment and appointment.
- The reduction of governance process by removing AAC.
- Increase existing staffing capacity.
- The following estimated cost efficiencies will be recognized:
 - Estimated annual cost or value assumptions
 - 11 meetings per AAC per year

- Meeting prep and minute taking costs
- Resident member stipends (13 residents in total)
- OT value for 2 Planners attending each meeting (wage value)
 - Estimated annual cost or value for 1 AAC for 1 hr meeting \$11,900
 - Estimated annual cost or value for 2 AACs for 2 hr meeting \$18,000

4.1.4 Planning Advisory Committee

Staff Conclusion Section – CAO supports “Staff Conclusions”. Note: Suggested PAC Resident member appointments be amended as noted above in section 4.1.3 of CAO section.

Engagement Summary

Report Prepared by: _____
 Madelyn LeMay, Director, Planning and Development

Report Approved by:  _____
 Mark Phillips, CAO

PUBLIC PARTICIPATION PROGRAM POLICY

1. PURPOSE

- 1.1. Section 204 of the *Municipal Government Act* requires Council to adopt a public participation program before undertaking the preparation or amendment of development agreements or planning documents.

2. DEFINITIONS

- 2.1. The terms used in this Policy have the same meaning as those found in the *Municipal Government Act*.

3. COMPREHENSIVE REVIEW of PLANNING DOCUMENTS

- 3.1. Council resolves to seek the views of the public and encourage public participation regarding any comprehensive review by developing and implementing a public engagement plan to inform the public and receive comments from the public. The contents are at the discretion of Council but may involve committees, meetings, open houses, surveys, questionnaires, and publications.

4. DEVELOPMENT AGREEMENTS and AMENDMENTS to DEVELOPMENT AGREEMENTS; AMENDMENTS to PLANNING DOCUMENTS and AMENDMENTS to the LAND-USE BY-LAW

- 4.1. Council resolves to seek the views of the public and encourage public participation regarding development agreements, amendments to development agreements, and amendments to the West Hants and/or Hantsport Planning Documents or Land Use By-law by, at a minimum:
- holding one or more public meetings, usually hosted by the Planning Advisory Committee, prior to First Reading of any proposed development agreement or amendment;
 - advertising any public participation or information meeting regarding any proposed development agreement or amendment by notifying by mail the owners of neighbouring properties of the site of both the public information meeting and any public hearing regarding a proposed amendment to a specific property;
 - advertising any public hearing regarding any proposed development agreement or amendment by:
 - placing a notice in a newspaper circulating in the local area;
 - notifying by mail the owners of neighbouring properties of the site of both the public information meeting and any public hearing regarding a proposed amendment to a specific property;

*PUBLIC PARTICIPATION PROGRAM POLICY***5. GENERAL**

- 5.1. Councillors shall receive no new information regarding a planning matter once a public hearing is complete.
- 5.2. Any fees related to any action required by the Public Participation Program will be established by policy of Council.

6. REPEAL

- 6.1 The Public Participation Program Policy COPL-002.00, dated October 10, 2017, of the former Municipality of the District of West Hants and the Public Participation Program Policy dated March 26, 2019 of the former Town of Windsor are hereby repealed.

7. RELATED LEGISLATION, POLICIES and PROCEDURES

7.1. Municipal Government Act

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the Policy as adopted by the Council of the Region of Windsor and West Hants Municipality at a meeting duly called and held on the **28th** day of **April, 2020**.



R. N. Brown
Municipal Clerk

<i>Adoption</i>	
<i>Notice to Council:</i>	April 1, 2020
<i>Approval:</i>	April 28, 2020
<i>Description:</i> Initial approval of the Public Participation Program Policy, COPL-001.00.	

MEETING AND COMMITTEE PROCEDURAL POLICY

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1. General

- 1.1. This Policy will be known and cited as the "Meeting and Committee Procedural Policy".
- 1.2. The purpose of this Procedural Policy is to:
- a) provide direction to Council and Staff members on conducting Council and Committees of Council meetings. This Policy does not apply to boards, commissions and committees of which the Municipality may be a member, but which was not established solely by the Municipality;
 - b) establish the Committee of the Whole as a Committee of Council; and
 - c) establish various other Committees of Council.
- 1.3. In this Policy:
- a) "Act" means the Municipal Government Act, Stats. N.S. 1998, C. 18
 - b) "Business day(s)" means a day which the administrative offices of the Municipality are open for business;
 - c) "Chair" means the presiding officer of Council or a Committee of Council;
 - d) "Chief Administrative Officer" or "CAO" means the Chief Administrative Officer of the Municipality;
 - e) "Clerk" means the Clerk of the Municipality;
 - f) "Closed Meeting" means a meeting which is not open to the public and may be known as in-camera.
 - g) "Committee of Council" means a committee formed pursuant to a resolution or policy of Council;
 - h) "Council" means all Council members of the Municipality;
 - i) "Councillor" means a Council member and includes the Mayor and Deputy Mayor unless the context indicates otherwise;
 - j) "Majority" means more than one-half of those present
 - k) "Meeting Package" means the package prepared for a meeting consisting of the agenda and associated agenda item material;
 - l) "Motion" means the formal mode in which a Council member submits a proposed measure or resolve for the consideration and action of Council or Committee of Council;
 - m) "Municipal or Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

- n) "Pecuniary interest" means a situation where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the person, or to other persons;
- o) "Planning document" means a Municipal Planning Strategy, Land Use By-law, or Subdivision By-law;
- p) "Question" means the subject matter of a motion; when the question is called, the motion is put to a vote without further debate;
- q) "Quorum" means the majority of members required to hold a meeting.
- r) "Resolution" means a formal expression of the opinion or the will of the Council or a Committee of Council adopted by vote, and is a result of an approved motion;
- s) "Staff" means a person employed by the Municipality;
- t) "Two-thirds vote" means a vote where at least two-thirds of the members present and entitled to vote at the meeting vote in favor of the motion.

2. Mandate of Council and Committee of the Whole

2.1. The mandate of Council is:

- a) to exercise the powers of the Municipality as set out in the *Act* through the approval of motions, policies and by-laws;
- b) to provide strategic planning for the Municipality with the goals:
 - i. to provide good government;
 - ii. to provide services, facilities and other things that in the opinion of Council are necessary or desirable for all parts of the Municipality;
 - iii. to develop and maintain safe and viable communities;
 - iv. to work with other municipal units for the best interests of the Municipality within the province;
 - v. to provide active programs of training and upgrading of staff and Council; and
 - vi. such other goals as from time to time are determined;
- c) to conduct the official business of the Municipality;
- d) to carry out any statutory public hearings as required by the *Act* and other legislation;
- e) to provide strategic direction to the CAO through resolutions, policies and by-laws.

2.2. The mandate of the Committee of the Whole is:

- a) to discuss, consider, advise and make recommendation to Council for approval concerning the affairs of the Municipality in advance of Council making decisions or taking actions on such matters, except where

Council has determined that consideration by Committee of the Whole is unnecessary or inadvisable, and except that the following matters will normally be dealt with by Council without having to be forwarded to the Committee of the Whole for its recommendations:

- i. first and second readings of a by-law enactment, amendment or repeal; and
- ii. matters which are the subject of statutory hearing of Council;
- b) to carry out the duties and responsibilities of Council set forth in Part XV Dangerous and Unsightly Premises of the *Act*;
- c) to carry out the duties of the Regional Emergency Management Advisory Committee as set forth the Regional Emergency Management By-law of the Municipality;
- d) to take such steps not inconsistent with this Policy that the Committee of the Whole reasonably deems necessary to carry out this mandate;
- e) except for an Order under the Act for Dangerous and Unsightly Premises and specific tasks or matters assigned by Council from time to time to the Committee, all resolutions of the Committee of the Whole will be recommendations to Council for Council's approval.

3. Time, Place, Date and Notice of Meetings

- 3.1. All meetings of Council and Committees of Council will be public meetings, except as provided for under Sections 22 (2) and 203(1) of the Act and Section 14 of this Policy.
- 3.2. Unless otherwise specified pursuant to Section 3.5 of this Policy a regular meeting of the Committee of the Whole will be held:
 - a) at the location set by the Committee of the Whole,
 - b) on the second Tuesday of each month, except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.3. Unless otherwise specified pursuant to Section 3.5 of this Policy, a regular meeting of Council will be held:
 - a) at the location set by Council,
 - b) on the fourth Tuesday of each month except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.4. Unless otherwise specified pursuant to Section 3.5 of this Policy, regular meetings of other Committees of Council will be determined in the Administrative Terms of Reference for the Committee.

- 3.5. Meetings may be rescheduled, relocated or cancelled:
- a) by resolution or consensus, including a contingent resolution or consensus of Council or a Committee of Council at a previous meeting three (3) or more business days in advance of the meeting;
 - b) at the request of majority of the members of Council or Committee of Council;
 - c) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to inclement weather or unforeseen circumstances provided the Mayor, Deputy Mayor, or Chair believes the majority of members would support such a step.
- 3.6. Additional or special meetings of Council or a Committee of Council may be convened:
- a) by resolution or consensus, including contingent resolution or consensus of Council or Committee of Council at a meeting three (3) or more business days in advance of the additional or special meeting;
 - b) at the request of the Chair;
 - c) at the request of the majority of members;
 - d) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to unforeseen circumstances, provided the Mayor, Deputy Mayor or Chair believes that the majority of members would support such a step; or
 - e) where the Mayor determines there is an emergency, Council may meet without notice or with such notice as is possible in the circumstances.
- 3.7. Notice to Councillors and the Public of meetings:
- a) subject to any statutory relaxation of the notice requirements, at least three (3) business days' notice to Councillors will be provided for additional or special meetings by telephone, the email address provided by the Municipality or other email address, fax number or messaging service;
 - b) subject to any statutory relaxation of the notice requirements, at least two (2) business days' notice to the public will be provided for additional or special meetings by posting a notice of the meeting on the Municipal website and social media pages;
 - c) Councillors and the public will be deemed to have received any notice within one (1) day of being notified pursuant to this section;
 - d) meeting notice need not be provided of:
 - i. regular meetings held pursuant to Sections 3.2 and 3.3 of this Policy;

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- ii. regular meetings of a Committee of Council whose regular meeting date is contained in a policy or by-law of Council or posted on the Municipal website; or
 - iii. meetings held pursuant to Sections 3.5 (a) and Section 3.6 (a) of this Policy;
 - e) notice of meeting cancellations will be provided to Council and the public as soon as possible in the same manner;
- 3.8. In accordance with Section 19 (7)(a)(b) of the Act no meeting of Council or Committee of Council is illegal or invalid by failure to give notice or by meeting elsewhere than provided in this Policy or the notice of meeting.
- 3.9. Within thirty (30) days following the first meeting of Council after an election or by-election each Councillor will provide the Clerk the following:
- a) a telephone number with answering machine/voicemail which the Councillor has and will maintain and will check at least once per day;
 - b) the unique email address provided by the Municipality, where all municipal notices and correspondence will be forwarded and which the Councillor will check at least once per day;
 - c) any other email address, fax number, or messaging service which the Councillor has and will maintain and will check at least once per day.

4. Communications

- 4.1. The Mayor is the official spokesperson of Council and the CAO is the official spokesperson of staff.
- 4.2. Council communication to the public is:
- a) through the Mayor, as the official spokesperson for the Municipality regarding decisions approved by Council unless another Councillor is designated;
 - b) through Councillors as chief spokespersons for explaining policies, priorities and decisions; and
 - c) through Committee Chairs as chief spokesperson for matters dealt with under the authority of their committee, unless another Councillor is designated;
 - d) media interview requests will be referred to the Mayor or the CAO to determine who is the most appropriate spokesperson for the interview.
- 4.3. Council communication to staff is:
- a) through a resolution of Council or Committee of Council for advice, information or recommendations on matters which require thoughtful

research and review. Staff will normally provide their response through a written information or recommendation report like that in Appendix A;

- b) through resolutions from Council to the CAO.

4.4. Committees will communicate to Council:

- a) through a written information or recommendation report by Chairs to Committee of the Whole like that found in Appendix A.
- b) where all Councillors are members; may communicate using excerpts sheets of the motions being recommended to go straight to Council with the previous committee report (referred to in the excerpt), attached as a supporting document.

4.5. All Councillors are expected to provide a monthly report to Council stating the Municipal business they were involved in over the previous month, using the report form in Appendix A.

4.6. The CAO or designate may, on behalf of Council or Committee of Council, receive correspondence from the public and deliver a copy of the correspondence to all Councillors within a reasonable time provided:

- a) the correspondence is directed to a Councillor or Committee of Council member;
- b) is in writing and received by mail or email;
- c) is legible;
- d) is not libelous, irrelevant, offensive or improper; and
- e) is signed by the writer's name.

5. Meeting Attendance and Quorum

5.1. Councillors are expected to attend all meetings of Council and Committees of Council to which they are appointed.

5.2. Subject to changes of the Act Section 17 (4), Councillors who without leave of Council are absent from three (3) consecutive regular meetings of Council ceases to be qualified to serve as a Councillor.

5.3. Councillors who without leave of a Committee of Council and are absent from three (3) consecutive regular meetings of a Committee of Council to which they are appointed, may be removed from the Committee. This also applies to resident members appointed to a Committee of Council.

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- 5.4. Council or a Committee of Council will not refuse the leave of a Councillor if such leave is due to employment issues, illness, other Municipal business, or an unforeseen event needing immediate attention.
- 5.5. Sections 5.1, 5.2 and 5.3 do not apply to Councillors on a parental accommodation leave of absence in accordance with Section 17 (4A) of the Act.
- 5.6. Quorum for meetings of Council and Committee of the Whole will be the majority of elected Councillors, or seven (7) Councillors.
- 5.7. Quorum of other Committees of Council will be the majority of the voting members unless otherwise stated in a policy or by-law of Council or administrative terms of reference.
- 5.8. Councillors or resident members of Committees of Council may participate in meetings by electronic means such as teleconference or video conference and will be considered present for purposes of quorum and voting, provided:
- a) the Councillor or resident members physically present at the meeting location are at minimum one less than quorum;
 - b) a maximum of two Councillors, resident members or combination may use electronic means during a meeting at one time;
 - c) the Chair will be physically present at the meeting location;
 - d) the Councillor or resident member notifies the Chair and appropriate staff at least 24-hours in advance of their intent to use electronic means, to ensure provision of the electronic means at the meeting location;
 - e) it is the responsibility of the Councillor or resident member to ensure provision of electronic means at their location;
 - f) if used during a closed meeting, the member will ensure confidentiality is maintained at all times;
 - g) no Councillor or resident member will participate by electronic means in more than four (4) meetings of any kind per year;
 - h) the Councillor or resident member does not interfere and/or disrupt the meeting, and if such occurs the Chair has the right to end the electronic participation;
 - i) the Chair will ensure those participating by electronic means have an opportunity to verbally declare any conflicts of interest;
 - j) the Councillor or resident member will notify the Chair of their intended departure (either temporary or permanent) from the meeting before leaving the meeting;

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- k) the Councillor or resident member will be marked as absent if electronic connection is not made or if it is lost and is unable to be reconnected.
- 5.9. All Councillors or resident members of Committees of Council may participate by electronic means as described in 5.8 during a local and/or world-wide crisis. This would not count towards the four (4) electronic meetings per year as identified in 5.8(g).
- 5.10. If a quorum is not present fifteen (15) minutes following the scheduled start time of a meeting and it is not reasonable that quorum will be present within a reasonable time, the meeting will be deemed cancelled and a record of the cancellation along with the names of the members present will be recorded in the minutes.
- 5.11. Where there is a permanent vacancy on Council or a Committee of Council, Councillors may make a decision if a quorum is present at the meeting.
- 5.12. If the number of Council members is reduced to below the number required for a quorum due to vacancies in Council, Council may not pass a by-law or policy, borrow money, set a tax rate, acquire or sell property, for make any other decision that has an effect after or for a term extending beyond the date of the election to fill a vacancy on Council
6. Election Process for Deputy Mayor, Chair or Vice-Chair
- 6.1. At the first meeting of Council after an ordinary election, all Councillors will be sworn in and the Deputy Mayor will be elected as follows:
- a) the Mayor will call the meeting to order and call for nominations for the position of Deputy Mayor three times;
 - b) Councillors may nominate a fellow Councillor for the position of Deputy Mayor, but may not nominate themselves; nominations do not have to be seconded;
 - c) after the third and final call for nominations, the Mayor will declare nominations closed;
 - d) the Mayor will ask each nominee if they accept the nomination for Deputy Mayor;
 - e) if only one Councillor was nominated and accepted the nomination, that Councillor is declared the Deputy Mayor;
 - f) if there is more than one nominee, the Mayor will provide each of the nominees an opportunity to speak and Councillors will elect the Deputy Mayor by secret ballot;

- g) two volunteers are asked to be scrutineers, one of which must be a staff member. Ballots are distributed to Councillors, votes will be cast, then the scrutineers will collect and count the ballots;
- h) the scrutineers announce the overall result of the election (not the number of votes for each Councillor). The Deputy Mayor is determined by majority of the number of Councillors present;
- i) if there is not a winner by majority and there are three (3) or more nominees, another vote will occur by dropping the nominee with the lowest votes and voting again until only two (2) nominees remain. If there is not a winner by majority and there are only two (2) nominees, the Deputy Mayor will be determined by a draw by the Clerk or designated staff member.
- j) once the Deputy Mayor has been declared elected, a motion will be made to destroy the ballots.

6.2. The term of office for the Deputy Mayor will be two (2) years; the very first term being April 1, 2020 - October 31, 2022 and the nomination process be held again for a term of November 2022 – October 2024, at which time it will re-align with municipal elections in Nova Scotia

6.3. The election of a Chair for a Committee of Council will be completed in a similar manner to the election of the Deputy Mayor except that a staff member will perform the duties of the Chair until the Chair of the Committee of Council is elected. Nominees for Chair will be given an opportunity to speak to the members of the Committee of Council before the vote is held.

6.4. Once a Chair of a Committee of Council is elected, they may perform the election in the same manner for a Vice-Chair.

6.5. The term of office for a Chair or Vice Chair will be two years unless otherwise stated in a policy of Council or administrative terms of reference.

7. Meeting Agendas and Packages

- 7.1. At Council meetings, unless a majority consents to a different order for that meeting, business will be conducted in the following order:
- a) Call to Order
 - b) Roll Call
 - c) Approval of Agenda, including additions or deletions
 - d) Declaration(s) of Conflict of Interest
 - e) Announcements

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- f) Approval of previous meeting's minutes
- g) Public Hearings
- h) Unfinished Business/Postponed Motions
- i) Mayor's Report
- j) Committees of Council Recommendations
- k) Councillor Municipal Business Reports
- l) Correspondence
- m) New Business
- n) In-Camera
- o) Next Meeting Date / Adjournment

7.2. At Committee of the Whole, unless a majority consents to a different order for that meeting, business will be conducted in the following order:

- a) Call to Order
- b) Roll Call
- c) Announcements
- d) Approval of Agenda, including additions and deletions
- e) Declaration(s) of Conflict of Interest
- f) Approval of the Minutes
- g) Presentations
- h) Unfinished Business/Postponed Motions
- i) Reports
- j) Correspondence
- k) New Business
- l) Public Participation Period
- m) In-Camera
- n) Next Meeting Date / Adjournment

7.3. Agendas of other Committees of Council and Public Hearings will be determined as needed or detailed in the Committee's Administrative terms of reference.

7.4. All topics and supporting material for an agenda will be submitted to the staff member preparing the agenda by 12:00 noon ten (10) business days before a regular scheduled meeting. Councillors will be required to submit a "Report Form" (Appendix A) to be included in the agenda package.

7.5. All agendas will be approved by the Mayor or Chair of the Committee of Council and the CAO or designate.

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- 7.6. All agenda items should have an associated report, excerpt sheet, and/or other material outlining the purpose and background of the agenda item put together in one PDF document.
- 7.7. Meeting packages will be provided to Councillors and resident members of Committees of Council by 12:00 noon at least three (3) business days before the meeting by internal communication systems or email.
- 7.8. Meeting packages will be provided to the public by 4:00 pm two (2) business days before a meeting by posting the meeting package to the Municipal website.
- 7.9. Meeting packages for a special meeting of Council or a Committee of Council will be provided to Councillors, resident members and the public in accordance with Sections 7.7 and 7.8 should time permit, or by 12:00 noon one (1) business day before the special meeting.
- 7.10. If an agenda item's associated material is not distributed in the meeting package it will be distributed electronically or by hard copy during or after the meeting.
- 7.11. Late additions to the agenda will be accepted for consideration until 12:00 noon two (2) business days before the meeting. No late additions will be accepted for special meetings.
- 7.12. Agenda items may also be added at the meeting if it is time sensitive or concerning a matter where life, property or the environment is at immediate risk and cannot be dealt with at a later meeting. All meeting package material for these items will be distributed electronically or by hard copy during or after the meeting.
- 7.13. For instances when a requested agenda item may be outside the jurisdiction of the Municipality, require more research, or should be dealt with in a different forum or meeting, the Mayor or Chair will have the authority to delete, defer, or refer the agenda item. The Mayor or Chair will advise the person requesting the agenda item of the action taken.
- 7.14. All material in a meeting package which is posted on the Municipal website will be deemed received at the time of agenda approval during the meeting. All material not publicly posted that is read or visually presented during the

meeting will be deemed received and amended to the posted meeting package posted on the Municipal website

- 7.15. Once an agenda item has been dealt with it should not be put on the agenda again for at least six (6) months unless there is a follow up report on actions taken, or a proper motion is made to reconsider, rescind or amend something previously adopted.

8. Council and Committee Chair Duties

- 8.1. The Chair of Council and Committee of the Whole will be the Mayor except:
- a) in the absence of the Mayor, the Deputy Mayor will be the Chair
 - b) in the temporary absence of both the Mayor and Deputy Mayor, a Chair will be appointed from the Councillors present at the meeting.
- 8.2. The Chair of a Committee of Council will be the Councillor or resident member elected and, in their absence, the Vice-Chair elected.
- 8.3. It will be the duty of the Chair to:
- a) open the meeting by taking the chair and calling the members to order and announcing the business before Council or the Committee of Council;
 - b) ask members to declare any Conflicts of Interest;
 - c) receive and put to a vote all motions presented and announce the results;
 - d) decline to put to a vote a motion which infringes upon rules of procedure established by this Policy;
 - e) restrain Councillors when engaged in debate, within the rules of conduct established by this Policy or Robert's Rules of Order;
 - f) protect the rights of those attending the meeting and enforce the rules of order; preserve order, and decide on point of order;
 - g) call by name any Councillor or resident member persisting in a breach of this Policy, and thereby ordering them to vacate the meeting room;
 - h) permit the CAO to speak on any point upon request;
 - i) permit staff and invited guests to speak when appropriate on the agenda and at the request of Councillors and/or CAO;
 - j) permit proper questions to be asked through the Chair of any Councillor, CAO, staff member, or invited guest in attendance relevant to the issue under discussion in order to provide information to assist debate;
 - k) declare a meeting dissolved if no quorum has been achieved;

- l) adjourn to another place and/or time without ending the meeting with the consent of Council;
- m) adjourn the meeting when the business is concluded and a motion to adjourn has been approved by the majority vote; or
 - i. adjourn the meeting when an adjournment time has been set and approved by majority vote or consensus, when the time has been reached except when it is extended by unanimous consent; or
 - ii. adjourn the meeting at the Chair's sole discretion due to inclement weather conditions to a time and date set by the Chair.

9. Minutes and Recordings

- 9.1. Written minutes of Council and all Committee of Council meetings, including in-camera meetings, will be kept providing a permanent and historical record of the Municipality's business. When required, these minutes may be recognized in court as evidence of decisions made and actions taken.
- 9.2. Written minutes kept will:
 - a) record the names of the members or participants and the time when any member joins or leaves a meeting which is in progress;
 - b) contain all motions and decisions by consensus and will record the outcome of each vote;
 - c) record the names of all Councillors or resident members who voted "Nay" to a motion put to a vote;
 - d) summarize key points of a discussion and mention reports, petitions, correspondence, presentations and other papers submitted only by their respective title, or a brief description of the content;
 - e) be clear, accurate, concise, and formatted to be readable;
 - f) be written in past-tense;
 - g) flow logically in accordance with the agenda, even if the meeting itself had been fragmented and confusing.
- 9.3. To assist with accurate composition of draft minutes, public meetings of Council or Committees of Council will be recorded using audio recording equipment. Once minutes are approved, the audio recording will be kept for at least seven (7) years after which it may be destroyed in accordance with the Records Management Policy of the Municipality.
- 9.4. Draft minutes of Council and Committee of the Whole will be reviewed by the Clerk and CAO.

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- 9.5. Draft minutes of other Committees of Council will be reviewed in accordance with the Committee of Council's Administrative Terms of Reference.
- 9.6. Minutes of all meetings will be posted in draft electronic form on the Municipality's website for the public and to the internal communication system for Councillors and staff for information.
- 9.7. The minutes of the last preceding regular meeting and subsequent special meetings will be reviewed at the next meeting of Council or Committee of Council and after all necessary corrections and amendments have been noted, be approved and signed by the Mayor or Chair.
- 9.8. To correct the minutes at the time of approval, the word or words will be crossed out and the corrections written in and initialed before being signed by the Chair. The digital form of the minutes posted to the Municipality's website and internal communication system will be changed accordingly in red font and a footnote of the changes will be added to the electronic minutes stating "Amended".
- 9.9. The press will be allowed to only use audio recording equipment during public meetings.
- 9.10. A request for copies of the audio recordings of public meetings may be submitted in writing or electronic mail to the Clerk of the Municipality and will be provided, if available, for a prescribed fee.
- 9.11. Council and Committees of Council may choose to live-stream video on the internet of any or all meetings, with no obligation to live-stream video of a meeting. There will be no audience participation using the live-streamed video, but residents may leave messages; however, staff will be unable to address said messages.
- 9.12. Except for Section 9.3, 9.9 and 9.11 of this Policy, audio and video recordings and the taking of photos by any device will not be allowed during meetings except by permission of the Chair.

10. Meeting Decorum and Rules of Debate

- 10.1. Robert's Rules of Order will govern the proceedings of Council and Committees of Council in all cases not provided for in this Policy or an Administrative Terms of Reference.

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- 10.2. Members of the public present in the meeting room will maintain order and quiet and will not address the Council or Committee of Council except with permission of the Chair.
- 10.3. All cellular phones and electronic devices which emits a sound will be set to silent or turned off during a meeting, with the exception of equipment required for specific use related to the matter (i.e. issued tablets that would contain the agenda and related documents).
- 10.4. No one may bring any sign, poster, placard, banner or other like device into a meeting place without the prior permission of the Chair, subject to an objection by a majority of the members of Council or Committee of Council present.
- 10.5. All Councillors, resident members, or other persons presenting to Council or a Committee of Council will not:
- a) speak disrespectfully of any person;
 - b) use offensive language
 - c) speak on any subject other than the subject for which they received approval to speak;
 - d) disobey any decision of the Chair;
 - e) enter a cross debate with another member; or
 - f) willfully distract the member speaking, unless it is regarding a point of order or to raise a question of privilege.
- 10.6. A Council or a Committee of Council member or other persons may speak to a subject or motion at a meeting only if that member first addresses the Chair.
- 10.7. The Chair may ask questions and speak on a matter in the same manner as all Council or Committee of Council members without leaving the seat of the Chair.
- 10.8. Every Council or Committee of Council member or other person, prior to speaking on any question or motion, will signal their desire to speak by raising their hand or other acceptable manner and wait to be recognized by the Chair. When two or more members signal to speak, the Chair will designate who has the floor based on the opinion of the Chair as to who signaled first.

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- 10.9. No Council or Committee of Council member or other person will speak more than twice (and the second time only to raise new information), for a maximum of five (5) minutes each time, without permission of Council on any motion except to explain misconception of his remarks. When a member wishes to explain a misconception, the member will signal to the Chair and ask permission of the Chair, without further comment, and if permitted by the Chair, will explain only an actual misunderstanding of language.
- 10.10. A Council or Committee of Council member may request the motion under consideration be read at any time during debate but may not interrupt while another member is speaking.
- 10.11. The mover of a motion will have the right to reply and sum up in closing the debate.
- 10.12. The Chair, after having called attention of Council or Committee of Council to the conduct of a member who persists in irrelevant or repetition of an argument during debate, may direct a member to discontinue speaking.
- 10.13. A Council or Committee of Council member, member of the public or other person willfully disregarding the meeting decorum or rules of debate or obstructing the business of the Council or Committee of Council meeting, may be ordered by majority vote of the members present, to leave the meeting, which for clarity means leaving the property of the meeting location.
- 10.14. Formal presentations will be made at any meeting of Council or Committee of Council meeting, with no individual presentation exceeding fifteen (15) minutes plus a period for questions. For purposes of efficiency and time management it will be the goal when setting an agenda to limit a maximum of three (3) formal presentations at any one meeting.
- 10.15. When a report, by-law, petition or other document is read or received, including those deemed received upon approval of the agenda, the Clerk or appropriate staff member will endorse upon it:
- a) a note of the reading;
 - b) the date;
 - c) the way it was dealt with.
- 10.16. A meeting of Council or a Committee of Council will adjourn at 10:00 pm unless otherwise determined by a majority vote of the members present. If

the meeting agenda is not completed as of 10:00 pm, the members may vote to adjourn to another date and time to complete the meeting.

11. Conflict of Interest

- 11.1. In accordance with the Municipal Conflict of Interest Act each Councillor and resident member must self-identify and disclose any pecuniary interest in any item before Council, Committee of Council or external committee or board.
- 11.2. Where a Councillor or resident member, either on their own behalf or while acting for, by or with and/or through, another person has any pecuniary interest, direct or indirect on a subject they will:
 - a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - b) leave their seat and sit in the gallery or exit the meeting room for the duration of the discussions pertaining to the matter;
 - c) not take part in the discussion of or vote on any question with respect to the matter;
 - d) not in any way before, during and/or after the meeting influence the voting on any question pertaining to the matter.
- 11.3. If the meeting is a closed meeting, in addition to complying with the requirements in Section 11.2, the Councillor or resident member will leave the meeting place for the part of the meeting during which the matter is under consideration.
- 11.4. Where the interest of a member has not been disclosed by reason of their absence from the particular meeting, the member will disclose the interest and otherwise comply at the next meeting they attend of Council, Committee of Council or external committee or board where the matter was discussed.
- 11.5. The Clerk or responsible staff member will record the name of the member, the meeting, the time they left their seat and returned, and the nature of the conflict of interest in the minutes of the meeting and a central registry of disclosure.

12. Motions and Voting

- 12.1. The types of motions which may be made at a Council or Committee of Council meeting are:
 - a) Main motions – reflects the proposed decision or action to be taken regarding a subject;

- b) Subsidiary motions – facilitates or modifies the main motion;
- c) Incidental motions – relates to a question of procedure regarding a main motion;
- d) Privileged Motions – a motion which does not relate to the main motion but takes immediate priority.

12.2. The following are common but not all Subsidiary motions:

- a) Postpone indefinitely – if approved this motion stops the main motion without a vote;
- b) Amend – changes something within the main motion;
- c) Postpone definitely – sets the main motion aside until a specified time;
- d) Refer – sends the main motion to a specific committee or staff for further investigation and report back;
- e) Limit or extend debate – shortens or lengthens the time for debate;
- f) Previous Question – closes debate and brings the main motion to a vote;
- g) Lay on the Table – puts the main motion aside temporarily for more urgent business and is taken up after the urgent business is dealt with.

12.3. The following are common but not all incidental motions:

- a) Point of Order – asked the Chair to enforce the rules; more details in Section 13;
- b) Appeal – takes the decision of the Chair away and gives it to members of Council or Committee of Council;
- c) Suspend the rules – allow Council or Committee of Council to do something it normally cannot do without breaking the rules;
- d) Objection to consideration of the question – avoids the main motion if Council or Committee of Council thinks the motion should never have been made or is outside its mandate;
- e) Division of a question – separate parts of a main motion into separate motions that can stand on their own for consideration.

12.4. The following are common but not all privilege motions:

- a) Raising a question of privilege – is an emergency motion which deals with the rights and privileges of members;
- b) Recess – provides a short break in the meeting;
- c) Fix the time to adjourn – sets a time to adjourn the meeting;
- d) Adjourn – closes the meeting.

12.5. All business before Council or Committee of Council for consideration will be made in the form of main motions which propose specific action be taken.

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- 12.6. All main motions will be provided to the Chair or Clerk in writing before being debated.
- 12.7. A motion must be seconded, and when requested read by the Chair or Clerk, before it is debated; except a motion raising a question of privilege or point of order.
- 12.8. Council or a Committee of Council may have informal discussions on a subject prior to making a main motion for consideration.
- 12.9. A motion may at any time after it is seconded and before the Council or Committee of Council has voted on it, be withdrawn or modified by the mover with consent of Council or Committee of Council.
- 12.10. When any main motion is being considered, the only motions in order will be:
- a) to amend;
 - b) to refer;
 - c) to postpone either definitely or indefinitely; or
 - d) to limit or extend debate;
 - e) the previous question.
- 12.11. Amendments will be put in the reverse order of which they are made. Only one amendment will be allowed at a time and one sub-amendment will be allowed to an amendment. Every amendment submitted will be decided on or withdrawn before the main question is put to a vote.
- 12.12. A motion to adjourn will always be in order except in the following cases:
- a) when a Council or Committee of Council member is in possession of the floor;
 - b) when the "yeas" and "nays" are being called;
 - c) while the Council or Committee of Council members are voting; or
 - d) when the motion to adjourn was the last preceding motion.
- 12.13. The following motions will be decided without debate:
- a) a motion to reconsider;
 - b) all motions as to priority of business or as the suspension of the order of the day;
 - c) applications to speak more than the prescribed number of times;
 - d) a motion to allow any person other than a Council member to address the Council;

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- e) a motion to postpone definitely;
 - f) a motion to lay on the table when claiming a privilege over another person; and
 - g) a motion to adjourn.
- 12.14. Before putting the motion to a vote, the Chair will ask "Are you ready for the question" and if no member offers to speak on the motion or they make a motion for the Previous Question, the Chair will put the question, after which no member will be permitted to speak upon it.
- 12.15. The usual form of voting on any motion will be by the Chair calling for "yeas" and "nays", and members indicating their choice by show of hands or, if provided, by electronic means; but any Council or Committee of Council member, before or after the vote can call for, a recorded vote with each members vote entered into the minutes.
- 12.16. No motion committing the Municipality to the expenditure of funds will be accepted by the Chair for the consideration of Council, unless there is unanimous consent of Council members present, except for matters arising from correspondence, Committee of Council or other reports, agenda items, notices of motions or other material circulated to Council members on or before the day before the meeting, and except for matters arising from a closed meeting.
- 12.17. A majority vote of those present will determine all questions arising in Council and a Committee of Council, except motions to approve a planning document and those requiring a two-thirds (2/3) vote.
- 12.18. The adoption of planning documents or amendment thereof by Council at Second Reading requires a majority vote of number of Council members elected, regardless of number present to achieve quorum. And only those members present during a public hearing are permitted to vote on the matter at which a public hearing was held.
- 12.19. The following motions require a two-thirds vote:
- a) to suspend the rules;
 - b) to limit or extend debate;
 - c) to amend or rescind something previously adopted;
 - d) to object to the consideration of the question; or
 - e) to close nominations.

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- 12.20. Subject to the *Municipal Conflict of Interest Act*, all Council or Committee of Council members present including the Chair will vote on a motion and may not abstain.
- 12.21. A member of Council or Committee of Council who fails or refuses to vote on a motion is deemed to have voted in the positive.
- 12.22. In the event of a tie in a vote on a motion, the motion is determined in the negative.
- 12.23. Any notice of motion given by a Council or Committee of Council member for a subsequent meeting may, in the absence of the member giving such notice, be taken up by another member.
- 12.24. The following motions may bring a motion for consideration again:
- a) Take from the table – takes up the motion previously laid on the table;
 - b) Rescind – takes back a motion or policy; for a by-law this is called a repeal, a notice to rescind must be given at a previous meeting;
 - c) Amend something previously adopted – modifies a motion previously presented and adopted;
 - d) Discharge a committee – takes a matter sent to a committee back before a report has been presented;
 - e) Reconsider – allows reconsideration due to new information or situation so the true will of the members is acted on.
- 12.25. No motion can be reconsidered if the actions cannot be undone.
- 12.26. After any main motion has been decided, any Council or Committee of Council member who voted on the winning side may, after the decision has been announced from the Chair, but before adjournment of the meeting may give notice of an intention to move reconsideration at the next meeting. The giving of such a notice operates as a stay or suspension of the decision.
- 12.27. In the event that Council or a Committee of Council member fails to give notice of reconsideration at the same meeting, the member will give notice in writing to the Clerk least 14 days prior to the next meeting but not thereafter, of Notice of Motion to reconsider the motion of a previous meeting, stating the reasons therefore, and if the motion for reconsideration is seconded, the same will be put to a vote after debate (unless it is an undebatable motion) and if carried, the question for reconsideration will then be read and disposed of.

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- 12.28. No discussion of the main question will be allowed during the motion for reconsideration.
- 12.29. The following matters are not eligible for reconsideration:
- a) a motion approving the first or second reading of a by-law enactment, amendment or repeal;
 - b) a motion to decide on a matter which was the subject of a statutory hearing by Council;
 - c) a motion which is or was considered by the Committee of the Whole or the Planning Advisory Committee in substantially the same form in which it is being or will be considered by Council, irrespective of whether Council has adopted or rejected or may adopt or reject, the recommendation;
 - d) a matter which has already been reconsidered once;
 - e) a vote to reconsider; and
 - f) a motion to reconsider or rescind a motion approving the annual budget of the Municipality or a motion authorizing any legal proceedings.
- 12.30. Any rule concerning motions and voting may be suspended for a specific matter with a motion, passed by two-thirds (2/3) vote of Council or Committee of Council members present, stating the specific rule to suspend and the matter for which it is suspended.
- 12.31. A summary of the rules for common motions can be found in Appendix B.
13. Points of Order (also refer to Code of Conduct Policy)
- 13.1. A point of order asks the Chair to rule on or enforce the rules if a Council or Committee of Council member thinks the rules of this Policy have been broken.
- 13.2. A point of order does not need to be seconded but must specify which rule is being broken and must be decided upon before the subject under consideration is proceeded with.
- 13.3. When a Council or Committee of Council member is called to order, the member will be seated and remain silent until the point is determined or until called upon by the Chair to be heard on the point of order.
- 13.4. A point of order is not debatable amongst other Council or Committee of Council members, unless the Chair invites discussion to assist in making a

ruling. Where the Chair permits discussion on a point of order, no member will speak more than once.

- 13.5. Decisions of the Chair on points of order or procedure, including an order expelling and excluding a person from the meeting room pursuant to Sections 13.6 and 13.8, are not debatable but are appealable to Council or Committee of Council by any member. When an appeal is made of the decision of the Chair, the Chair will simply put the question, "Will the decision of the Chair be sustained?"
- 13.6. If a Council or Committee of Council member resists:
- a) the rules contained in this Policy;
 - b) willfully obstructs the business of Council or the Committee of Council;
 - c) disobeys the decision of the Chair, or of Council or Committee of Council on appeal, on any question of order or practice or upon the interpretation of the rules after being called to order by the Chair; or otherwise disrupts the meeting proceedings;
- the member may be ordered by the Chair to leave their seat.
- 13.7. If the Council or Committee of Council member refuses to leave the Council members seat, the Chair may, after majority vote is made to support the expulsion, order the member to be expelled and removed from the meeting room.
- 13.8. Such Council or Committee of Council member may, by vote of the members, later in the meeting or at a subsequent meeting be permitted to re-enter the meeting room and to resume participation in Council or Committee of Council business with or without conditions.
- 13.9. Persons who are not Council or Committee of Council members, staff, or invited guests of the Municipality will observe silence and order in the meeting room, unless given permission to speak. Any such persons disturbing the proceedings of Council or Committee of Council will be called to order by the Chair and, if they fail to comply, will be expelled and excluded from the meeting room by the Chair, provided that a majority vote will be required to sustain the expulsion.
- 13.10. Such members of the public, by vote of the members, later in the meeting or at a subsequent meeting, may be permitted to re-enter the Council Chambers with or without conditions.

- 13.11. An order of the Chair to expel a person from the meeting room pursuant to Sections 13.6 and 13.8 of this Policy constitutes a direction from the Municipality to leave the premises for the purpose of the Protection of Property Act and other applicable laws.

14. In-Camera Meetings

- 14.1. Notwithstanding Section 3.1, Council or a Committee of Council may meet in-camera as per Section 22(2) of the Act, for the following reasons:
- a) acquisitions, sale, lease and security of municipal property;
 - b) setting minimum price to be accepted by the municipality at a tax sale;
 - c) personnel matters;
 - d) labour relations;
 - e) contract negotiations;
 - f) litigation or potential litigation;
 - g) legal advice eligible for solicitor-client privilege;
 - h) public security.
- 14.2. No decision will be made while in-camera except decisions on matters of procedure or to give direction to the CAO or Solicitor. All other decisions will be made during a public meeting.
- 14.3. The meeting decorum and rules of debate of Section 10 apply during an in-camera meeting.
- 14.4. A record which is open to the public will be made, noting the fact that Council or Committee of Council had met in-camera, the type of matter as set out in Section 22(2) of the Act, and the date, but no other information.
- 14.5. Discussions held by those in attendance of an in-camera meeting are confidential unless required for Municipal, legal purposes pursuant to other regulatory requirements or released by motion of Council or the Committee of Council.
- 14.6. An agenda and documentation for the in-camera meeting will be provided to Council or Committee of Council members only, in a manner similar to Section 7 of this Policy or may be handed out during the in-camera meeting. Such material will be deleted from the internal communication system or collected after the meeting.

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- 14.7. Minutes of the in-camera meeting will be taken by the Clerk, or other responsible staff member, and approved at the next in-camera meeting of Council or Committee of Council. Such minutes and meeting packages will be securely kept and will not be subject to mandatory public disclosure unless required for Municipal, legal purposes pursuant to other regulatory requirements, or released by motion of Council or the Committee of Council.
- 14.8. The Mayor, Deputy Mayor, Chair, Solicitor, CAO or designate, or Clerk will have authority to brief one another or any member of Council or Committee of Council who is absent from the closed session.

15. Setting Direction

- 15.1. To practice good governance and ensure that decisions are made in the best interest of the Municipality, businesses and residents; decisions should be assessed through the lenses of property, environment, economics, social and public opinion before recommending an action or making a decision. Appendix C has further details on the decision-making lenses.
- 15.2. Council may set direction and make decisions through resolutions, policies and by-laws. Committees of Council may make motions recommending a direction, policy, or by-law to Council.
- 15.3. The process to approve a resolution at a Council meeting does not require notice or public consultation. A motion becomes a resolution upon approval.
- 15.4. Approval of Policies:
- a) The process for Council to approve a policy requires seven (7) days notice to all Council members but does not require public consultation. Notice may be given in one of the following manners:
 - i. Through a notice of motion regarding the policy at a Council meeting for approval at the next Council meeting, provided there are at least seven (7) days between meetings;
 - ii. Through a recommendation from Committee of the Whole to Council, provided there is at least seven (7) days between the meetings;
 - iii. Through a recommendation from Planning Advisory /Heritage Advisory Committee to Council, where such notice will be emailed to Councillors at least seven (7) days before the meeting.

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- 15.5. Approval of By-laws and Planning Documents:
- a) The process for Council to approve a by-law, other than a planning document, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 168 (2) of the Act.
 - b) The process for Council to approve a planning document or amendment there of, after the requirements of the public participation program for planning documents have been met, requires a First Reading at a Council meeting, a Public Hearing and a Second Reading at a subsequent Council meeting. A notice regarding the Public Hearing must be published in accordance with Section 206 of the Act.
 - c) Council will receive no new information regarding the by-law or planning matter once a public hearing is complete.
 - d) Only the Council members present at the Public Hearing may vote on the Second Reading of the by-law and planning document.
- 15.6. Public Hearings are separate meetings which are held immediately before the Council meeting at which the Second Reading of the by-law or planning document is held. The agenda for the Public Hearing will be similar to the following:
- a) Overview of by-law or planning document to be approved – by staff
 - b) Owner or Developer Presentations (if applicable)
 - c) Written Submissions in Favour or Against
 - d) Questions or Comments from the Public in Favour or Against
 - e) Concluding Remarks
- 15.7. Council may reverse a resolution or policy through a motion to rescind or repeal in the same manner it was created. The process to reverse a by-law is to create a new by-law stating the repeal.
- 15.8. The resolution, policy or by-law to be rescinded or repealed:
- a) will have been approved at a previous Council meeting, and
 - b) will not have been carried out to the extent that it is too late to undo for the future.

16.Receiving Public Input

- 16.1. Council and Committees of Council members may obtain public input and opinions from residents in the following manner:
- a) speaking with a resident directly;

- b) at public consultation and information meetings;
- c) during Public Hearings;
- d) through formal presentation during meetings, requests which have been received by staff may be placed on the meeting agenda and approved by the Chair, prior to the meeting;
- e) during the allotted twenty (20) minutes of Public Participation on the Committee of the Whole Agenda. A member of the public may speak for a maximum of five (5) minutes each during this period;
- f) through formal petitions and written applications to Council.

16.2. Petitions and applications to Council will be:

- a) legibly written or printed on paper;
- b) will have endorsed upon it the name, address and signature of one or more petitioners, applicants or required persons, and the substance of the matter contained in it.
- c) be presented by a Council member or staff member who will inform Council of the contents and ask permission of Council for it to be read on behalf of petitioners;
- d) Council may decide to hear a summary of a petition or written application in lieu of hearing the reading of the entire petition or written application.

17. Committees

- 17.1. The Council of the Municipality may establish Committees of Council for various matters.
- 17.2. Committees of Council are advisory in purpose and may only make recommendations to Council for final approval and action; unless otherwise enabled under this Policy or by Provincial Legislation.
- 17.3. In addition to the Committee of the Whole, the following Committees of Council are hereby established and details of the establishment can be found in the respective appendix to this Policy:
 - a) Accessibility Advisory Committee – Appendix D
 - b) Audit Committee – Appendix E
 - c) Davidson Lake Watershed Committee - F
 - d) French Mill Brook Watershed Advisory Committee – Appendix G
 - e) Fences Arbitration Committee – Appendix H
 - f) Hantsport Area Advisory Committee – Appendix I
 - g) Windsor Area Advisory Committee – Appendix I

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- h) Mill Lakes Watershed Advisory Committee – Appendix J
 - i) Planning Advisory/Heritage Advisory Committee – Appendix K
 - j) Municipal Climate Change Action Plan Committee – Appendix L
 - k) Diversity and Inclusion Committee – Appendix M
- 17.4. Council may also form Committees of Council as required under a by-law or agreement approved by Council.
- 17.5. Council may agree to participate in external boards and committees which are established by the Province, legal agreement or is of significant interest to the Municipality.
- 17.6. Council will not be bound by the by-laws or articles of incorporation adopted by an external committee or board providing for the appointment of a member to the committee or board.
- 17.7. Council agrees to participate in the following external boards and committees:
- a) Annapolis Valley Regional Library Board
 - b) Hants County Residence for Senior Citizens Board
 - c) Landfill Liaison Committee
 - d) Region 6 Solid Waste Management Board
 - e) Valley Communication Fibre Network
 - f) Valley Regional Enterprise Network
- 17.8. Councillors are elected to various committees and boards every two (2) years, or as required by other legislation, policies or agreement, at the November Council meeting. For clarification, the first appointment after April 1, 2020 will be in November 2022. The number of Councillors to be elected:
- a) for Committees of Council one (1) or more Councillors may be elected in accordance with the Committee structure set by Council;
 - b) for external boards and committees, one (1) Councillor and one (1) alternate Councillor may be elected.
- 17.9. The election of Councillors to various committees and boards will be conducted in similar manner as the election of Deputy Mayor in Section 6.
- 17.10. Councillors not elected to a Committee of Council or external committee or board will not be permitted to participate in the committee debate or the vote; but are authorized to make comments, presentations, and participate in the committee meeting, to the extent authorized by the Chair.

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- 17.11. A Councillor ceases to be a member of a Committee of Council or external committee or board when they cease to be a Councillor or as per poor conduct as per the Code of Conduct Policy.
 - 17.12. Council may appoint residents to serve on Committees of Council or to represent the Municipality on external board and committees.
 - 17.13. All resident appointments will be advertised publicly with a request for those interested to submit a letter of interest and application for a committee. The letter of interest will be reviewed by the CAO or designate and staff who will then submit a recommendation to Council for appointment.
 - 17.14. Committees of Council will be governed in accordance with this Policy, unless this Policy states that an alternate arrangement may be provided in the Administrative Terms of Reference of the Committee of Council.
 - 17.15. Each member of a Committee of Council is to receive a copy of this Policy and the Committee of Council's Administrative Terms of Reference at the first duly called meeting of the Committee of Council after the regular election or appointment of members.
 - 17.16. The Clerk will keep a record of all Councillor and resident appointments to Committees of Council and external committees and boards.
 - 17.17. Councillors and resident members who sit on an external committee and board that has not been a result of an appointment by Council, will disclose the name of the external committee or board to the Clerk. The Clerk will keep a public record and will update the information in November of each year.
 - 17.18. Council may by majority vote remove any Councillor or resident member of a Committee of Council or external committee or board who was elected or appointed by Council.
 - 17.19. Council will fill any vacancy on a Committee of Council or external committee or board as soon as practicable after the vacancy occurs.

18. Conferences and Training

- 18.1. Up to six (6) Council members plus Mayor (and their spouses), and the CAO (or delegate) may attend the Spring conference held by the Nova Scotia Federation of Municipalities (NSFM). And, up to six (6) Council members plus

Mayor (and their spouses), and the CAO (or delegate) may attend the Fall conference held by the NSFM; however, will be based on opportunity. The schedule of attendance will be revisited annually to promote fairness.

- 18.2. Annually, Council will approve participation in a conference held by the Federation of Canadian Municipalities (FCM), including the number of Council and staff members to participate through the provision of funding during budget deliberations.
- 18.3. Councillors may attend and be reimbursed for other related training opportunities with prior approval of Council.
- 18.4. Remuneration for conferences and training will be in accordance with the Remuneration Policy.
- 18.5. There will be an annual budgeted amount for Committees of Council members to attend conferences relevant to the committee in which they are appointed. This may include up to one resident member per Committee of Council.
- 18.6. The CAO will be responsible for promoting conference and professional development opportunities and for devising a system ensuring overall fairness for the opportunity to attend.

19. Repeal

- 19.1. The following policies of the former Municipality of the District of West Hants are hereby repealed effective April 1, 2020:
 - a) The Council Procedural Policy, COGE-003.00, dated February 14, 2017 as amended to September 10, 2019;
 - b) Audit Committee Policy, COFN-007.00, dated May 8, 2018;
 - c) Policy Establishing Davidson Lake Watershed Advisory Committee, COPW-003.00, dated December 8, 2015 as amended to June 12, 2018;
 - d) Establishment of the Falmouth Watershed Advisory Committee Policy COPW-002.00, dated February 13, 2018 as amended to June 12, 2018;
 - e) Policy to Establish the Fences Arbitration Committee, COGE-008.00, dated June 12, 2018;
 - f) Policy Establishing West Hants Planning Advisory Committee, COPL-006.00, dated December 11, 2018; and
 - g) Policy Establishing the Hantsport Area Advisory Committee, COPL-005.00.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

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- 19.2. The following policies of the former Town of Windsor are hereby repealed effective April 1, 2020:
- a) Meeting Attendance via Video/Virtual Policy dated September 26, 2017;
 - b) Appointment of Deputy Mayor Policy dated November 25, 2014; and
 - c) Audit Committee Policy dated November 28, 2017.

20. Related Legislation, Policies, Procedures

- 20.1. The following is a list of related legislation, policies and procedures:
- a) Municipal Government Act
 - b) Municipal Conflict of Interest Act
 - c) Freedom of Information and Protection of Privacy Act
 - d) Protection of Property Act
 - e) Robert's Rules of Order

APPENDIX A

Report Form

WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☐	Councillor Activity ☐
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To: (Name of Committee)

Submitted by: _____
 (Name and Title)

Date: (Date)

Subject: (Title or Subject of Report)

LEGISLATIVE AUTHORITY

(State where ability for consideration comes from if applicable)

RECOMMENDATION or DECISION REQUEST

(State the recommendation or decision request in the form of a motion, if not applicable because it is an Information Report or Councillor Activity Report, state so)

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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(Provide the Who, What, When, Where and Why. If a Councillor Activity Report check "Councillor Activity" and provide your update/info below in the "Discussion" section.)

DISCUSSION

(Provide new information about the subject, Councillor activity, strategic implications, desired outcome.)

NEXT STEPS

(State what will be done next if anything.)

FINANCIAL IMPLICATIONS

(Inform of any financial implications it may have on current or future budgets of the Municipality, or to residents, if anything.)

ALTERNATIVES

(State any option to the recommendation and implication of the options, if anything)

ATTACHMENTS

(List any attachment to the report, if anything.)

CHIEF ADMINISTRATIVE OFFICER REVIEW

(For use if report is from a Councillor. CAO to provide additional comments on background, department/staff responsible and workload, budget, options, preferred strategy. State "Not Applicable" if report is from staff which already incorporates CAO review.)

Report Prepared by: _____
(Name and Title)

Report Reviewed by: _____
(Name and Title)

Report Approved by: _____
(Name and Title)

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

APPENDIX B

Rules of Common Motions

Privilege and Subsidiary motions are listed in the order of their precedence, with the highest ranking at the top. After the Chair states a motion, higher ranking motions are in order but not lower ranking motions, except to Amend and Previous Question can be applied to amendable and debateable motions of higher rank than themselves. Incidental Motions have no ranking order. These are the general rules relating to motions, special rules may apply in accordance with Roberts Rules of Order.

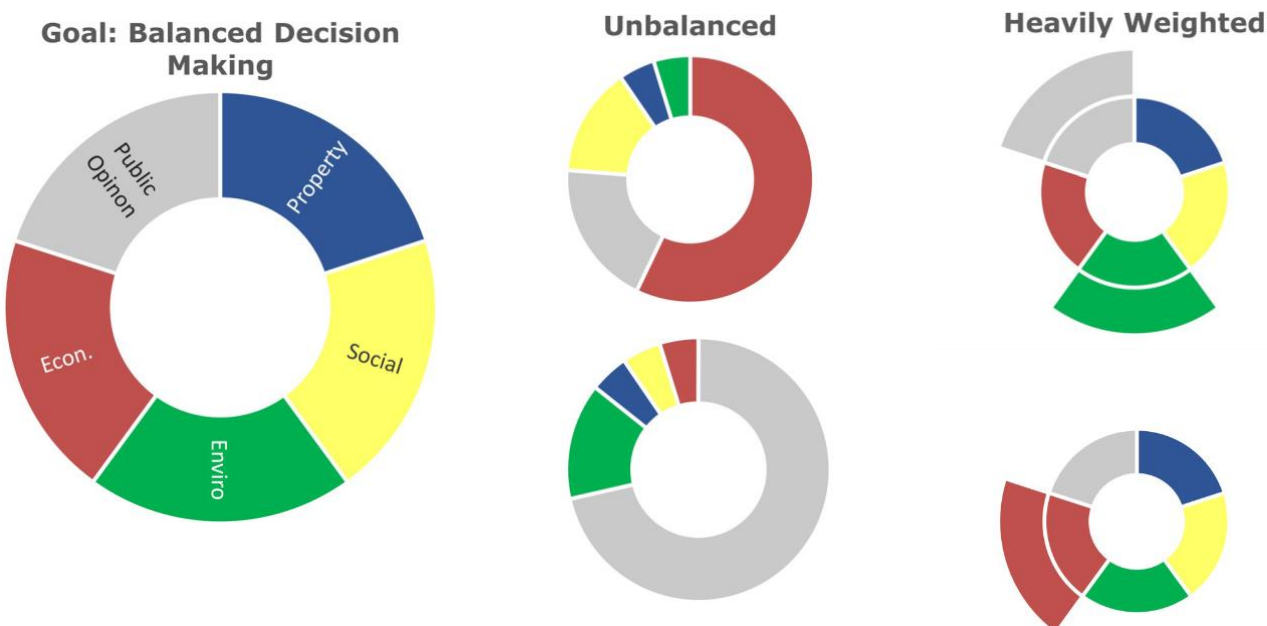
Type Of Motion	Motion in Order of Precedence	Seconded Needed?	Amendable?	Debatable?	Decided by?	Reconsider?	Interrupt?
Incidental Motions	Point of Order	No	No	No (unless Chair Permits)	Chair	No	Yes
	Appeal	Yes	No	Yes	Majority (Nays)	Yes	Yes (at time of ruling)
	Suspend the Rules	Yes	No	No	2/3	No	No
	Objection to the Consideration of the Question	No	No	No	2/3 (Nays)	Yes (Nays Only)	Yes (unless debate has begun)
	Division of the Question	Yes	Yes	No	Majority	No	No
Privilege Motions	Fixing the Time to Adjourn	Yes	Yes	No	Majority	Yes	No
	Adjourn	Yes	No	No	Majority	No	No
	Recess	Yes	Yes	No	Majority	No	No
	Raise a question of Privilege	No	No	No	Chair	No	Yes
Subsidiary Motion	Lay on the Table	Yes	No	No	Majority	No	No
	Previous Question	Yes	No	No	2/3	Yes	No
	Limit or Extend Debate	Yes	Yes	No	2/3	Yes	No
	Postpone to a Definite Time	Yes	Yes	Yes	Majority	Yes	No
	Refer	Yes	Yes	Yes	Majority	Yes	No
	Amend	Yes	Yes	Yes	Majority	Yes	No
	Postpone Indefinitely	Yes	No	Yes	Majority	Yes	No
Main	Original Motion	Yes	Yes	Yes	Majority	Yes	No

APPENDIX C

Decision Making by Council and Committee of Council

Council and resident members should assess every issue presented through the lenses of property, environment, economics, social, and public opinion before making a decision or recommendation for action. Council and residents have the responsibility to research all lenses in order to make a balanced and respectful decision. Information on an issue can become heavily weighted around a single lens, leaving out other factors that will influence the community as a whole. Council and resident members strive to make recommendations that are balanced and unbiased, without emotion, which reflect all lenses, to protect the best interests of the Municipality and the people it serves.

- **Property:** "something at the disposal of a person, a group of persons, or the community or public". Examples: single use, shared use, noise, beautification, traffic, zoning, regulations
- **Environment:** "the air, water, minerals, organisms, and all other external factors surrounding and affecting a given organism at any time". Examples include regulatory requirements and land use.
- **Economic:** "pertaining to the production, distribution, and use of income, wealth, and commodities". Examples: cost savings or expense with decision, property taxation, spending in community, tourism, assessments, market impacts
- **Social:** "of or relating to human society". Examples: Acceptance, limited available or benefit, values
- **Public Opinion:** "the collective opinion of many people on some issue, problem, etc., especially as a guide to action, decision, or the like". Examples: feedback, communication, media, other municipal units
- **Other:** In some cases, other lenses may be required to fully understand an issue. Examples: chance of success, innovation.



APPENDIX D

Accessibility Advisory Committee

1. PURPOSE

- 1.1. The Accessibility Advisory Committee provides advice to Council on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the Region of Windsor and West Hants Municipality become a barrier-free community and ensuring obligations under "An Act Respecting Accessibility in Nova Scotia (2017)" are met.

2. SCOPE

- 2.1. This Policy is applicable to all members appointed to the Municipality's Accessibility Advisory Committee.

3. DEFINITIONS

- 3.1. In Appendix D,
- a) "AAC" means the Accessibility Advisory Committee of the Municipality;
 - b) "Act" means the *Accessibility Act*;
 - c) "Barrier" means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice;
 - d) "Council" means the Council for the Municipality;
 - e) "Disability" includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability; that, in interaction with a barrier, hinders an individual's full and effective participation in society;
 - f) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

4. COMMITTEE COMPOSITION

- 4.1. The AAC will consist of seven (7) members as follows:
- To a two-year term – One (1) members of Council
 - To a two-year term – four (4) Resident members
 - To a three-year term – two (2) Resident members.
- 4.2. Resident members will not be members of Council or employees of the Municipality.

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- 4.3. At least one half of the members of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.
- 4.4. If a member vacates AAC for any reason at any time before that member's term would normally expire, Council will promptly appoint a new member to the Committee to hold office for the unexpired term.
- 4.5. The Chair and Vice-Chair will be appointed annually by the members of AAC.

5. MANDATE AND RESPONSIBILITIES

- 5.1. AAC has the following responsibilities:
- a) Advise Council in the preparation, implementation and effectiveness of its accessibility plan. In accordance with the Act, the plan must include:
 - A report on measures the Municipality has taken and intends to take to identify, remove and prevent barriers;
 - Information on procedures the Municipality has in place to assess the following for their effect on accessibility for persons with disabilities:
 - i. Any of its proposed policies, programs, practices and services, and
 - ii. Any proposed enactments or bylaws it will be administering; and
 - Any other prescribed information.
 - b) Advise Council on the impact of the Municipality's policies, programs and services on persons with disabilities;
 - c) Review and monitor existing and proposed Municipal by-laws to promote full participation of persons with disabilities, in accordance with the Act;
 - d) Identify and advise on the accessibility of existing and proposed municipal services and facilities;
 - e) Advise and make recommendations about strategies designed to achieve the objectives of the Municipality's Accessibility Plan;
 - f) Receive and review information directed to it by Council and its committees, and to make recommendations as requested;
 - g) Monitor Federal and Provincial government directives and regulations; and,
 - h) Host community consultations related to accessibility in the Municipality.

6. ADMINISTRATION

- 6.1. AAC will meet no less than six times per year, or otherwise as required to fulfill the duties as outlined.
- 6.2. A quorum for AAC will be a majority, four (4) members.
- 6.3. The AAC may receive presentations from the public upon approval of the

Chair.

- 6.4. The AAC may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the AAC shall chair the Working Group.

APPENDIX E
Audit Committee

1. PURPOSE

- 1.1. The primary purpose of the Audit Committee (the "Committee") is to provide advice to Council on all matters relating to audit and finance. The objective of the Committee is to:
- a) fulfil the requirements outlined in Section 44 of the *Municipal Government Act*; and
 - b) assist Council in meeting its oversight responsibilities by ensuring the adequacy and effectiveness of financial report, risk management and internal controls.

2. SCOPE

- 2.1. This Policy is applicable to all serving members Audit Committee.

3. DEFINITIONS

- 3.1. In Appendix E,
- a) "Auditor" means the External Auditor conducting the audit of the Municipality;
 - b) "CAO" means the Chief Administrative Officer for the Municipality;
 - c) "Director of Finance" means the Director of Financial Services for the Municipality;
 - d) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

4. COMMITTEE COMPOSITION

- 4.1. Council will annually appoint members to an Audit Committee.
- 4.2. The Audit Committee will consist of five (5) members: the Mayor, two Council members, and two resident members who are not members of Council or Municipal Staff.
- a) Resident members should be sufficiently versed in financial matters to understand the Municipality's account practices and policies and the major judgements involved in preparing the financial statements.
 - b) Where an audit committee does not include any resident members, the audit committee will continue to meet and perform its duties and may exercise its powers. The Municipality will advertise to recruit resident members at least once every six months until the requirement is met.

-
- c) The Mayor will chair the Audit Committee meetings, and in their absence, another appointed Council member will chair.
 - d) The CAO and/or Director of Financial Services will provide staff support to the Committee. They are not voting members of the Committee.
 - e) The Council Remuneration Policy will be followed regarding any remuneration for the two resident members.
 - f) All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by CAO.

5. DUTIES AND RESPONSIBILITIES

5.1. Audit:

- a) Review the qualifications, independence, quality of service, performance, and fees of the auditors and recommend the appointment of an auditor to Council.
- b) Carry out the responsibilities of the Audit Committee contained in Section 44 of the *Municipal Government Act*, in consultation with Management.

5.2. Finance and Risk Management

- a) Review with Management the quarterly financial updates and recommend to Council to be received.
- b) Management will give a presentation on all financial policies used in the preparation of the external financial statements; at the first annually meeting of the year.
- c) Review with Management the adequacy of internal controls.
- d) Review with Management annually risk management practices including insurance coverage.

6. ADMINISTRATION

- 6.1. Meetings of the Audit Committee will be held at least quarterly. Additional meetings may be necessary to review items relating to the audit and will be called by the Chair.

APPENDIX F

Davidson Lake Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Davidson Lake Watershed Advisory Committee was established in 2007 in response to the requirement of Nova Scotia Environment (NSE) to develop and prescribe regulations for the Protected Water Area, as well as a Source Water Protection Plan (SWPP). The SWPP was adopted by the former Hantsport Town Council on July 4, 2013. The draft Regulations were submitted to Nova Scotia Environment and at this time awaits Provincial review and approval.

2. DEFINITIONS

- 2.1. In Appendix F,
- a) "Committee" means the Davidson Lake Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. PURPOSE

- 3.1. The primary objective of the Davidson Lake Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other stakeholders to work cooperatively to maintain the water quality and quantity in the Davidson Lake Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.
- 3.2. The mandate of the Davidson Lake Watershed Advisory Committee is to advise and make recommendations to Council concerning issues of the management and protection of the Davidson Lake Watershed.

4. ROLE OF THE DAVIDSON WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Davidson Lake Watershed.
- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;

- c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
- d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
- e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
- f) advise on forest matters and other land use issues;
- g) develop Best Management Practices (BMP) for activities in the Davidson Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
- h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
- i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Davidson Watershed;
- j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
- k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

5.1. The Committee members will be comprised of:

- One (1) Landowner Representative
- One (1) Councillor and one alternate
- One (1) Nova Scotia Department of Lands and Forestry Representative
- One (1) Water Utility Representative
- One (1) Planning and Development Department Representative
- One (1) Nova Scotia Environment Representative

5.2. The Landowner Representative must own land in the Davidson Lake Watershed and will not include the Municipality.

6. ADMINISTRATION

6.1. A quorum for the Committee will be four (4) members; of which one (1) must be a Councillor.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

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- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Davidson Lake Watershed Advisory Committee to Committee of the Whole.
 - 6.3. The Committee will meet semi-annually. The Chair may call additional meetings as required.
 - 6.4. Administrative services for the Committee will be provided by the Municipality.
 - 6.5. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX G

French Mill Brook Watershed Advisory Committee

1. PREAMBLE

- 1.1. In 1983, the area surrounding French Mill Brook, Hants County was designated as a Protected Water Area at the request of the former Municipality of the District of West Hants. Regulations were also enacted for the designated area to protect the water supply. The French Mill Brook Watershed Protected Area supplies potable water to the community of Falmouth and covers approximately 2814 acres of land (1139 hectares), according to the plan prepared in 1974.
- 1.2. The former Falmouth Watershed Advisory Committee was established in 1992 to manage the French Mill Brook Watershed through the involvement of all stakeholders, including landowners, municipal staff and government representatives.

2. DEFINITIONS

- 2.1. In Appendix G,
- a) "Committee" means the Falmouth Watershed Advisory Committee;
 - b) "Councillor" means an elected member of the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. PURPOSE

- 3.1. The primary objective of the French Mill Brook Watershed Committee is to provide a forum for the Landowners, the Municipality, and other stakeholders to work cooperatively to maintain the water quality and quantity in the French Mill Brook Watershed. The Committee acts to protect source water as the first step to clean, safe drinking water.
- 3.2. The mandate of the Committee is to advise and make recommendations to Council concerning issues of the management and protection of the French Mill Brook Watershed.

4. ROLE OF THE FRENCH MILL BROOK WATERSHED ADVISORY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the French Mill Brook Watershed.

- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the French Mill Brook Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the French Mill Brook Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

- 5.1. The Committee members will be comprised of:
- Three (3) Landowners Representatives
 - One (1) Councillor and one (1) alternate
 - One (1) Water Utility Representative
 - One (1) Planning and Development Department Representative
 - One (1) Nova Scotia Department of Lands and Forestry Representative
 - One (1) Nova Scotia Transportation and Infrastructure Renewal Representative
 - One (1) Nova Scotia Environment Representative

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- 5.2. The Landowner Representatives must own land in the French Mill Brook Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be six (6) members; of which one (1) must be Councillor and two (2) Landowner Representatives.
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Falmouth Watershed Advisory Committee to the Committee of the Whole.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. Administrative services for the Committee will be provided by the Municipality.
- 6.5. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX H

Fences Arbitration Committee

1. PURPOSE

- 1.1. The purpose is to establish the Fences Arbitration Committee in accordance with the Fences and Detention of Stray Livestock Act.

2. DEFINITIONS

- 2.1. In Appendix H,
- a) "Act" means the Fences and Detention of Stray Livestock Act, as amended from time to time;
 - b) "Clerk" means the Municipal Clerk of the Municipality;
 - c) "Committee" means the Fences Arbitration Committee of the Municipality;
 - d) "Council" means the Council of the Municipality;
 - e) "Livestock" means cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and other livestock designated by the Minister;
 - f) "Minister" means the Minister of Agriculture;
 - g) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - h) "Non-livestock farm" means land upon which no livestock is maintained.
 - i) "Owner" includes
 - i. With respect to livestock, any person who has lawful custody of the livestock
 - ii. With respect to a farm, the person occupying or operating a farm.

3. FORMATION OF THE FENCES ARBITRATION COMMITTEE

- 3.1. The Committee will consist of two (2) members, of which one member is appointed by Council and one member of the Municipality appointed by the Nova Scotia Federation of Agriculture.
- 3.2. The member appointed by Council will be the Chair of the Committee and may be an employee of the Municipality.

- 3.3. Alternate members of the Committee may be appointed at the request of the member appointed by the Municipality or the Nova Scotia Federation of Agriculture.
- 3.4. All members or alternates will be residents of the Municipality.
- 3.5. Non-Council members will be paid remuneration in accordance with the Council Remuneration Policy.
- 3.6. The Committee will meet on an as needed basis.
- 3.7. Two (2) members of the Committee will form a quorum.
- 3.8. All members must abide by the Administrative Terms of Reference, set out by the Committee and reviewed the by Chief Administrative Officer.

4. DUTIES

- 4.1. The Committee will perform the duties as required by and in accordance with the Act, which include but not limited to:
 - a) Hearing fencing disputes between the owners of a livestock farm(s) or between the owner of a livestock farm and a non-livestock farm; who have notified the Clerk in writing and paid the accompanied fee. With respect to the matter referred to the Committee, the Committee may, by written order,
 - i. Determine the location, height and material of construction of any fence;
 - ii. Determine the manner of maintenance of a fence;
 - iii. Direct the owner of a farm to construct or maintain any fence in accordance with the Act;
 - iv. Determine the proportion of costs of building and maintaining any fences and common boundaries to be borne by each of the adjoining livestock farm owners pursuant to the Act;
 - v. Take any immediate action necessary including, but not limited to, the removal and boarding of livestock if it is determined there is a risk to the public, the livestock or property.
 - b) Directing a sale or other disposition of stray livestock, provided subsections (2), (3), and (4) of Section 9 of the Act have been complied with.
 - c) Disposing of stray livestock in such as manner as it deems fit, should no offer or reasonable offer be made at sale.
 - d) Distributing the proceeds of the sale or disposal of stray livestock in accordance with the Act.

-
- e) Settling disputes regarding ownership and expenses of stray livestock that arise between the owner of the livestock, the person detaining it or the Municipality.

5. CONFLICT

- 5.1. Where there is a conflict between this Policy and the Act, the Act will prevail.

APPENDIX I

Windsor and Hantsport Area Advisory Committees

1. PURPOSE

- 1.1. To establish area advisory committees for the communities of Windsor and Hantsport in accordance with Sections 201 and 202 of the *Municipal Government Act*.
- 1.2. The Windsor Area Advisory Committee and Hantsport Area Advisory Committee will advise the Planning Advisory Committee of the Municipality on planning matters affecting its respective community including the preparation and amendment of planning documents and planning matters generally.

2. DEFINITIONS

- 2.1. In Appendix I,
 - a) "HAAC" means Hantsport Area Advisory Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - c) "WAAC" means Windsor Area Advisory Committee.

3. COMMITTEE COMPOSITION

- 3.1. WAAC and HAAC will each consist of a maximum of eight (8) members and a minimum of four (4) members of which one (1) is a Council member (representing the relevant community), and seven (7) are resident members who are not members of Council.
- 3.2. Resident members will be appointed to the Committee for a term of two (2) years, with the term expiring following the October meeting of the second year, and the Council member will be appointed for a term of four (4) years, with the term expiring following the October meeting.

4. ADMINISTRATION

- 4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.
- 4.2. All non-Council members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

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- 4.3. The duties and procedures of the Area Advisory Committees will be as set out in the relevant Terms of Reference for the Advisory Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

APPENDIX J

Mill Lakes Watershed Advisory Committee

1. PREAMBLE

- 1.1. The Mill Lakes Watershed supplies the reservoir from which the Windsor Water Utility, operated by the Municipality, withdraws water. The Windsor Water Utility currently supplies water to the community of Windsor and the Three Mill Plains Water Utility. The Three Mile Plains Water Utility services communities of Three Mile Plains, Currys Corner, Garlands Crossing, and Wentworth Creek.

In 1964, the area surrounding Mill Lakes, Hants County, was designated a Protected Water Area. Regulations were also enacted for the designated area to protect the water supply. The regulations were updated in 1986 under the Water Act. The Mill Lakes Watershed Protected Water Area contains four thousand three hundred ninety-four and a half (4394.5) acres of land (1778.4ha).

The Mill Lakes Watershed Committee was first established in 2005 by the former Town of Windsor in response to the need to develop a Source Water Protection Plan.

2. DEFINITIONS

- 2.1. In Appendix J,
- a) "Committee" means the Mills Lakes Watershed Advisory Committee;
 - b) "Councillor" means an elected member the Council of the Municipality;
 - c) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - d) "Staff" means a person employed by the Municipality.

3. PURPOSE

- 3.1. The primary objective of the Mill Lakes Watershed Advisory Committee is to provide a forum for the Landowners, the Municipality and other Stakeholders to work cooperatively to maintain the water quality and quantity in the Mill Lakes Watershed. The Committee recognizes that the protection of source water is the first step in the multi-barrier approach to clean, safe drinking water.

4. ROLE OF THE MILL LAKES WATERSHED ADVISOTY COMMITTEE

- 4.1. The Committee advises the Municipality and Director of Public Works on issues pertaining to the Mill Lakes Watershed.

- 4.2. In addition, the Committee will:
- a) assist in the development and implementation of a Source Water Protection Plan, which will be reviewed periodically;
 - b) assist with revisions of the regulations for the Protected Water Area as required;
 - c) review the details of the establishment of the Committee and make recommendation of changes to the Council of the Municipality;
 - d) provide a forum for the involvement of landowners and exchange of information in matters regarding the watershed and water resources;
 - e) provide a forum to deal with issues and concerns in the watershed and address problems and solutions on matters of concern, as they arise;
 - f) advise on forest matters and other land use issues;
 - g) develop Best Management Practices (BMP) for activities in the Mill Lakes Watershed. These Best Management Practices will also be used to guide any approval processes for activities;
 - h) review and make recommendations on activities affecting the Protected Water Area, as requested by the Municipality;
 - i) provide and develop information and education about the Protected Water Area for residents, landowners, and users of the Mill Lakes Watershed;
 - j) liaise with government agencies and other resources not represented on the committee on matters affecting the Protected Water Area, such as the Provincial Department of Agriculture and Fisheries (DAF) and the Federal Department of Fisheries and Oceans (DFO).
 - k) provide information on the Committee's activities to landowners in the Protected Water Area.

5. COMMITTEE COMPOSITION

- 5.1. The Committee members will be comprised of:
- Four (4) Landowner Representatives
 - One (1) Councillor and one (1) alternate
 - One (1) Nova Scotia Department of Lands and Forestry Representative
 - One (1) Water Utility Representative
 - One (1) Planning and Development Department Representative
 - One (1) Nova Scotia Environment Representative (voting)

-
- 5.2. The Landowner Representatives must own land in the Mill Lakes Watershed and will not include the Municipality.

6. ADMINISTRATION

- 6.1. A quorum for the Committee will be five (5) members; of which two (2) must be a Landowner Representatives and one (1) must be a Councillor. .
- 6.2. The Chair of the Committee will be elected by and from the Committee. The Chair will be responsible for reporting the activities of the Committee to the Committee of the Whole. The Committee Chair will be elected every two years on even numbered years by the Committee.
- 6.3. The Committee will meet semi-annually. The Chair may call for additional meetings as required.
- 6.4. All Landowners are welcome to attend Committee meetings as observers.
- 6.5. A General Meeting of landowners may be called every two (2) years at the discretion of the Committee.
- 6.6. Administrative services for the Committee will be provided by the Municipality.
- 6.7. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

APPENDIX K

Planning Advisory/Heritage Advisory Committee

1. PURPOSE

- 1.1. To establish an advisory committee in accordance with Sections 200 and 202 of the *Municipal Government Act*.

The Planning Advisory/Heritage Advisory Committee will advise the Council of the Municipality on planning and heritage matters requiring a decision of Council affecting the Municipality, including the preparation and amendment of planning documents.

2. DEFINITIONS

- 2.1. In Appendix K,
- a) "HAAC" means Hantsport Area Advisory Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
 - c) "PAC/HAC" means the Planning Advisory/Heritage Advisory Committee of the Municipality;
 - d) "WAAC" means Windsor Area Advisory Committee.

3. COMMITTEE COMPOSITION

- 3.1. The PAC/HAC will be established under the following terms:
- a) The Committee will consist of seven (7) members as follows:
 - four (4) members of Council of which one is the Mayor
 - one (1) member of WAAC
 - one (1) member of HAAC, and
 - one (1) Resident member who is not a member of Council or a Municipal employee.
 - b) Non-Council members will be appointed to the Committee in November for a term of two (2) years and expire the following the October meeting of the second year.

4. ADMINISTRATION

- 4.1. The PAC/HAC will appoint a Chair and Vice-Chair annually from among its members at the November meeting.
- 4.2. All non-Council members of the Committee will be remunerated for attendance at meetings of the Committee in accordance with the Remuneration Policy.
- 4.3. The PAC/HAC will present recommendations directly to the Council of the Municipality.

APPENDIX L

Municipal Climate Change Action Plan Committee

1. PURPOSE

- 1.1. The Municipal Climate Change Action Plan Committee provides a forum for all municipal departments and Council representatives to work co-operatively on implementing and evaluating the adaptation and mitigation actions outlined in the Municipal Climate Change Action Plans of the Municipality hereafter referred to as "the MCCAP". These policy and adaptation procedures help protect people, properties, special places, and municipal infrastructure from the negative impact of climate change.

2. DEFINITIONS

- 2.1. In Appendix L,
- a) "MCCAP Committee" means the Municipal Climate Change Action Plan Committee;
 - b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. COMMITTEE COMPOSITION

- 3.1. The Committee consists of ten (10) members:
- Three (3) Councillors;
 - Two (2) resident members, who are not members of Council
 - Chief Administrative Officer or designate;
 - Director of Public Works or designate;
 - Director of Planning and Development or designate;
 - Director of Community Development or designate;
 - Protective Services Manager or designate.
- 3.2. Each Councillor, appointed by Council, serves on the Committee for a designated term. Members are eligible for reappointment.
- 3.3. Designates and alternates are at the discretion of the Chief Administrative Officer.

4. ADMINISTRATION

- 4.1. The Chair and the Vice-Chair are elected by a majority of the members. Those persons elected hold office for a one-year term.

- 4.2. The Chair of the Committee acts as the liaison in providing recommendations to Council, as required from time to time.
- 4.3. The duties and procedures of the MCCAP Committee will be as set out in the relevant Terms of Reference for the MCCAP Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

APPENDIX M

Diversity and Inclusion Committee

1. PURPOSE

- 1.1. The purpose of the Diversity and Inclusion Committee is to engage the community and formulate action plans to address issues concerning social marginalization, equity, racism, and discrimination within the Municipality. The Committee will also examine issues and barriers in creating a community that is inclusive and welcoming to all.

2. DEFINITIONS

- 2.1. In Appendix M,
- a) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

3. COMPOSITION

- 3.1. The Committee will consist of ten(10) voting members and two (2) non-voting members as follows:
- 2 Councillors
 - 4 resident members of diverse race and ethnicity
 - 1 resident over the age of 60
 - 1 resident between the ages of 15-19
 - RCMP Representative
 - Provincial Government Representative
 - 2 non-voting staff members appointed by the Chief Administrative Officer

4. ADMINISTRATION

- 4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.
- 4.2. All non-Council and non-staff members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.
- 4.3. Administrative services for the Committee will be provided by the Municipality.
- 4.4. All members must abide by the Administrative Terms of Reference set out by the Committee and reviewed the by Chief Administrative Officer.

WEST HANTS REGIONAL MUNICIPALITY
MEETING AND COMMITTEE PROCEDURAL POLICY

I, Rhonda Brown, Municipal Clerk of the Region of Windsor and West Hants Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the policy as adopted by the Council of the Region of the Windsor and West Hants Municipality at a meeting duly called and held on the **23rd** day of **March, 2020**.



R. N. Brown
Municipal Clerk

Adoption	
<i>Notice to Council:</i>	March 9, 2020
<i>Approval:</i>	March 23, 2020
<i>Description:</i> Initial approval of the Meeting and Committee Procedural Policy, RCOGE-003.00. Approved by the Co-ordinating Committee of the Region of Windsor and West Hants Municipality.	
First Amendment	
<i>Notice to Council:</i>	October 13, 2020
<i>Approval:</i>	October 27, 2020
<i>Description:</i> Amended Policy to add the Diversity and Inclusion Committee, changed the report form, terminology changes and amend agenda package procedures.	

PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE

1. Official Name

The official name of this committee is the Planning and Heritage Advisory Committee. It may be referred to as PAC/HAC.

2. Members/Composition

The Committee will consist of seven (7) members as follows:

- four (4) members of Council of which one is the Mayor;
- one (1) member of Windsor Area Advisory Committee;
- one (1) member of Hantsport Area Advisory Committee and
- one (1) resident member who is not a member of Council or a Municipal employee.

All members of the Committee are appointed by resolution of Council, and each member appointed serves the Committee for a term specified in the policy establishing the Committee. Members are eligible for reappointment.

The Area Advisory Committee (AAC) representatives appointed by Council will act as the liaison between the AACs and PAC/HAC.

Resident members are chosen through an evaluation process and appointment by Council.

All positions, whether or not an existing member has re-offered, will be reviewed through the evaluation process when the specified term is over.

In the case of any unexpected vacancy, Council may undertake the selection process to fill the position, with that new person appointed to serve the remainder of the term of the person replaced.

The Chair and the Vice-Chair are elected by a majority of the members and hold office for a one-year term. The Chair acts as the liaison with Council.

PAC/HAC members are requested to notify the Planning Meeting Secretary and Director of Planning and Development if they are unable to attend a meeting. PAC/HAC may recommend to Council that a Committee member who fails to attend three (3) consecutive meetings of PAC/HAC, without good reason accepted by the PAC/HAC Chair be dismissed from the Committee. Council may only dismiss Committee members on recommendation of PAC/HAC if PAC/HAC considers that they failed to adequately fulfill the identified responsibilities/mandate of the Committee.

PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE

PAC/HAC may meet with Area Advisory Committees once a year to discuss any planning issues or concerns.

3. Goals

The intent of PAC/HAC is to advise Council respecting the preparation or amendment of planning documents and respecting planning matters generally.

4. Deliverables

The Committee will:

- work with staff and residents to develop and recommend draft land use policy and regulations for the Region to Council;
- advise staff of any planning issue or concern and request an investigation into options to address such concerns;
- review recommendations from the Windsor and Hantsport Area Advisory Committees and make recommendation regarding any amendments to planning documents which affect these communities to Council;
- advise staff and Council regarding any public participation program respecting planning matters in the Region;
- advise staff, committees and Council regarding planning matters generally;
- help raise public awareness on planning matters in the Region.;
- advise Council regarding all matters related to heritage including:
 - the inclusion of buildings, public-building interiors, streetscapes, cultural landscapes or areas in the in the Registry;
 - applications for permission to substantially alter or demolish a Municipal Heritage Property;
 - the preparation, amendment, revision or repeal of a Conservation Plan and Conservation By-law;
 - the administration of Heritage Conservation Districts pursuant to the provisions of the Heritage Property Act;
 - applications for a certificate that is required by the Heritage Property Act or the referral of a Conservation Plan and Conservation By-law to Council for a public hearing; and
 - any other matters conducive to the effective carrying out of the intent and purpose of the Heritage Property By-law and the Heritage Property Act.

5. Jurisdiction

PAC/HAC is an advisory committee under Sections 200 of the Municipal Government Act (MGA) and was formed pursuant to the Meeting and Committee Procedural Policy dated March 23, 2020.

The Committee's duration is indefinite, based on:

- Council's continued support of the above Goals and Deliverables; and
- the existence of planning documents within the Region.

PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE

6. Resources/Budget

Following their appointment new Committee members will be given an introductory workshop organized by staff to assist them in their duties.

PAC/HAC resident members are remunerated in accordance with the Councillor Remuneration Policy.

Municipal planning staff will provide ongoing support to the Committee. Staff will:

- arrange meeting times and venues and take Committee minutes;
- circulate meeting agendas and minutes;
- provide reports or status updates on identified projects or applications; and
- make public presentations on behalf of the Committee as required.

7. Governance

PAC/HAC meetings will generally take place on the second Thursday of the month but additional meetings may be called by the Chair on an as-needed basis or as directed by Council. Members will be informed of all meetings and supplied with an agenda prior to each scheduled meeting date.

A quorum is a majority of the number of appointed members at the time of the meeting.

Orders and rules of conduct for debate for PAC/HAC meetings are the same as those for Council in the Meeting and Committee Procedural Policy.

8. Communications

PAC/HAC members and staff will communicate with each other at meetings (in person or electronic), by telephone or by email.

Draft minutes of PAC/HAC meetings are available to the public and will be approved at the next meeting.

All PAC/HAC meetings are open to the public, except as specified in Section 203 of the MGA.

Public notice of meetings is in accordance with Section 203(2) of the MGA.

PAC/HAC agendas may set aside a period of time during the meeting for public comment or presentation.

9. Related Policies, Procedures and Legislation

Municipal Government Act

Hantsport Municipal Planning Strategy

Hantsport Land Use By-law

PLANNING AND HERITAGE ADVISORY COMMITTEE TERMS OF REFERENCE

Hantsport Subdivision By-law
Windsor Municipal Planning Strategy
Windsor Land Use By-law
Windsor Subdivision By-law
West Hants Municipal Planning Strategy
West Hants Land Use By-law
West Hants Subdivision By-law
Meeting and Committee Procedural Policy
Council Remuneration Policy

Approved by: _____
Committee Chair

Adoption	
Notice to Council:	Not Applicable
Approval:	
Description:	

Taken from Meeting and Committee Procedural Policies Windsor and Hantsport Area Advisory Committees

1. PURPOSE

1.1. To establish area advisory committees for the communities of Windsor and Hantsport in accordance with Sections 201 and 202 of the *Municipal Government Act*.

1.2. The Windsor Area Advisory Committee and Hantsport Area Advisory Committee will

advise the Planning Advisory Committee of the Municipality on planning matters affecting its respective community including the preparation and amendment of planning documents and planning matters generally.

2. DEFINITIONS

2.1. In Appendix I,

- a) "HAAC" means Hantsport Area Advisory Committee;
- b) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020;
- c) "WAAC" means Windsor Area Advisory Committee.

3. COMMITTEE COMPOSITION

3.1. WAAC and HAAC will each consist of a maximum of eight (8) members and a minimum of four (4) members of which one (1) is a Council member (representing the relevant community), and seven (7) are resident members who are not members of Council.

3.2. Resident members will be appointed to the Committee for a term of two (2) years, with the term expiring following the October meeting of the second year, and the Council member will be appointed for a term of four (4) years, with the term expiring following the October meeting.

4. ADMINISTRATION

4.1. A Chair and Vice-Chair will be elected annually during the November Committee meeting.

4.2. All non-Council members of the Committee will be provided remuneration in accordance with the Council Remuneration Policy.

4.3. The duties and procedures of the Area Advisory Committees will be as set out in the relevant Terms of Reference for the Advisory Committee as approved by motion of the Committee and reviewed by the Chief Administrative Officer.

ATTACHMENT D

ENHANCED NOTIFICATION PRACTICES FOR PLANNING MATTERS EFFECTIVE ONLY UNTIL COUNCIL MAY HOLD IN-PERSON MEETINGS

April 28, 2020

1. In addition to the methods of notification established in the Public Participation Program Policy, Council shall give notice of any Public Information Meeting or Public Hearing required under the Planning Act by:
 - placing a sign or signs on the site noting the dates and the contact information, including how to find out how to attend virtual meetings;
 - notifying by mail the owners of properties within 500' of the site regarding a proposed amendment to a specific property.
2. Public Information Meetings will be held at one Planning Advisory Committee (PAC) meeting and a recommendation by PAC made at the following meeting once comments have been received from the public by phone, e-mail, regular mail or in the Region's on-site mail-drop box. Comments will be conveyed to PAC with the agenda for the following meeting and read into the record at the meeting for the benefit of the public.
3. Public Hearings will be held prior to one Council meeting and adjourned until prior to the next Council meeting at a date and time specified. This would give the public the opportunity to listen to the presentation during the public hearing and submit comments or ask questions via phone, e-mail, regular mail or in the Region's on-site mail-drop box while the public hearing is still technically in session. This will avoid Council receiving any new information once a hearing has been closed and before making a decision (second reading) but allow the public to comment after a presentation has been made. Comments will be conveyed to Council with the agenda for the following meetings and read into the record at the meeting for the benefit of the public.

ATTACHMENT E
Taken from the Municipal Government Act January 3, 2020

Public participation program

204

- (1) A council shall adopt, by policy, a public participation program concerning the preparation of planning documents.
- (2) A council may adopt different public participation programs for different types of planning documents.
- (3) The content of a public participation program is at the discretion of the council, but it shall identify opportunities and establish ways and means.

Requirements for adoption of planning documents

205

- (1) A council shall adopt, by by-law, planning documents.
- (2) A by-law adopting planning documents shall be read twice.
- (3) Before planning documents are read for a second time the council shall hold a public hearing.
- (4) A council shall complete the public participation program before placing the first notice for a public hearing in a newspaper circulating in the municipality.
- (5) The notice for the public hearing is sufficient compliance with the requirement to advertise second reading of a by-law.
- (6) Second reading shall not occur until the council has considered any submissions made or received at the public hearing.
- (7) Only those council members present at the public hearing may vote on second reading of the planning documents.
- (8) A council shall adopt planning documents, at second reading, by majority vote of the maximum number of members that may be elected to council. 1998, c. 18, s. 205; 2004, c. 7, s. 12.

Public hearing

206

- (1) Prior to holding a public hearing required pursuant to this Part, the clerk shall give notice of the public hearing in a newspaper, circulating in the municipality, inserted at least once a week, for two successive weeks.
- (2) The first notice of the public hearing shall be published at least fourteen days before the date of the public hearing.
- (3) The notice of the public hearing shall
 - (a) state the place where, and the hours during which, the proposed documents may be inspected by the public;
 - (b) state the date, time and place set for the public hearing;
 - (c) describe by metes and bounds, a plan, map, sketch or civic address or other description adequate to identify the area affected by the proposed documents;
 - (d) give a synopsis of the proposed documents, if the public hearing is with respect to an amendment to a municipal planning strategy or land-use by-law or the approval or amendment of a development agreement.

- (4) Copies of the proposed documents or portions of the documents shall be provided to a person, on request, upon payment of a reasonable fee set by the council, by policy, sufficient to recover the cost of providing the copies.
- (5) Upon the publication of the first notice of the public hearing, the clerk shall send a copy of the notice to the clerk of every municipality that immediately abuts an area affected by the proposed documents.
- (6) Upon the publication of the first notice of the public hearing, the clerk shall send a copy of the notice to the village clerk of every village in which an affected property is situate

Amendment of land-use by-law

210

- (1) An amendment to a land-use by-law that
 - (a) is undertaken in accordance with the municipal planning strategy; and
 - (b) is not required to carry out a concurrent amendment to a municipal planning strategy,is not subject to the review of the Director or the approval of the Minister.
- (2) The procedure for the adoption of an amendment to a land-use by-law referred to in subsection (1) is the same as the procedure for the adoption of planning documents, but a public participation program is at the discretion of the council and the amendment may be adopted by a majority of votes of the council members present at the public hearing.
- (3) Upon the adoption of an amendment to a land-use by-law referred to in subsection (1), the clerk shall place a notice in a newspaper circulating in the municipality stating that the amendment has been adopted and setting out the right of appeal.
- (4) When notice of an amendment to a land-use by-law referred to in subsection (1) is published, the clerk shall file a certified copy of the amending by-law with the Minister.
- (5) Within seven days after a decision to refuse to amend a land use by-law referred to in subsection (1), the clerk shall notify the applicant in writing, giving reasons for the refusal and setting out the right of appeal.
- (6) Where the council has not, within one hundred and twenty days after receipt of a completed application to amend a land-use by-law referred to in subsection (1), commenced the procedure required for amending the land-use bylaw by publishing the required notice of public hearing, the application is deemed to have been refused.
- (7) Within seven days after an application to amend a land-use by-law, referred to in subsection (1), being deemed to be refused, the clerk shall notify the applicant in writing that the application is deemed to have been refused and setting out the right to appeal.
- (8) An amendment to a land-use by-law referred to in subsection (1) is effective when
 - (a) the appeal period has elapsed and no appeal has been commenced; or
 - (b) all appeals have been abandoned or disposed of or the amendment has been affirmed by the Board.

Planning advisory committee

200

- (1) A municipality may, by policy, establish a planning advisory committee and may establish different planning advisory committees for different parts of the municipality.
- (2) Two or more municipalities may, by policy, establish a joint planning advisory committee
- (3) A planning advisory committee or joint planning advisory committee shall include members of the public and may include a representative appointed by a village commission.
- (4) The purpose of a planning advisory committee or a joint planning advisory committee is to advise respecting the preparation or amendment of planning documents and respecting planning matters generally.
- (5) The duties assigned, pursuant to this Part, to a planning advisory committee or a joint planning advisory committee shall only be carried out by the committee.
- (6) The council shall appoint members of a planning advisory committee or a joint planning advisory committee by resolution. 1998, c. 18, s. 200; 2014, c. 21, s. 3.

Area advisory committee

201

- (1) A municipality may establish, by policy, one or more area planning advisory committees to advise the planning advisory committee or joint planning advisory committee on planning matters affecting a specific area.
- (2) An area planning advisory committee shall include members of the public.
- (3) An area planning advisory committee, with jurisdiction over an area that includes all or part of a village, shall include at least one member appointed by the village commission.
- (4) The council shall appoint members of an area planning advisory committee by resolution.

ATTACHMENT F

PLAN REVIEW TIMELINE





WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: Committee of the Whole

Submitted by: _____
Carlee Rochon, Director, Financial Services

Date: February 9, 2021

Subject: West Hants Dial-A-Ride

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA)

- Section 65 – Authorized Municipal Expenditures
- Section 65(C) – Grant Disclosure Policies
- Chapter 18 of the Acts of 1998

West Hants Policy

- Grants and Contribution Policy, RCOFN-012.00

REQUEST FOR DIRECTION

It is asked that the Committee provide staff with direction as to the option it would like to see for West Hants Dial-a-Ride's request as outlined in the "Options" section of this report. Once consensus has been achieved through this committee, a possible motion could be...

Committee of the Whole recommends to Council that staff be directed to proceed with Option XX with respect to West Hants Dial-a-Ride's request.

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐
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West Hants Dial-a-Ride is a non-profit organization that provides accessible door-to-door service for all residents of West Hants Regional Municipality as well as

Mount Uniacke for medical appointments, personal errands, business, social, recreational, and educational opportunities.

In April 2010 former West Hants Council approved \$23,500 in funding support from the Gas Tax Fund for the purchase of an accessible van for West Hants Dial-A-Ride. The total cost of the accessible van purchased was \$46,411.90. In 2019, West Hants Dial-A-Ride received funding from the former entities for a combined total of \$18,550. In 2020, the Regional Council awarded a grant of \$8,500.

On January 12th, 2021, West Hants Dial-A-Ride presented to Committee of the Whole, requesting to become a line item in the operating budget with an annual contribution of \$75,000. Council requested further information be provided, such as their financials and statistics. These were forwarded on January 13, 2021. Staff have reviewed the financials and prepared information for Council to consider as they make their decision.

Rural transportation was a strategic goal of the former Municipality of West Hants Council. A report was presented to the former Municipality of West Hants on June 25, 2019 with an overview on Rural Transportation. Former West Hants Council, also directed staff to send a letter to the Province in February 2020, requesting changes to the Motor Vehicle Act to allow for ride sharing for class 5 licenses.

DISCUSSION

In staff's review of West Hants Dial-a-Ride's 2020 Financials, they reported an operating surplus of \$48,986.10. This is going into a retained earnings account, earmarked for a new accessible van in 2021. As the recent grant request to the Municipality was requested to further subsidize user fees (and not for the new accessible van), Council may wish to consider a funding agreement with criteria for the requested funds to ensure they are not used for capital through an annual surplus.

Staff reviewed the reporting requirements for an operating grant of this size. Under Public Sector Accounting Board's accounting standards, Section PS 1300 Government Reporting Entity, the element of "Control" was examined. Staff are responsible for applying this standard and supporting it during the Annual Audit. Based on the financials attached, the Regional Municipality would represent 28% of the annual revenue Dial-A-Ride received in 2020, 35% of budgeted revenues in 2021, and 34% of budgeted revenue in 2022. But financial dependence would not be an indicator of control.

Depending on the criteria Council wishes to establish to govern the support of this annual funding, it may be reassessed as the Regional Municipality having control of the entity. If that is the case Section PS 3070 would be applied and West Hants Dial-A-Ride would be accounted for in our financial statements using the modified equity method, with a note disclosure. This would require review from the Audit Committee and additional auditing service, during the preparation of the annual Financial Statements. Further, if fraud, injury, legal action, bankruptcy, etc. were to occur the Municipality may also be liable. If control were determined, staff would request copies of West Hants Dial-A-Ride insurance policies.

FINANCIAL IMPLICATIONS

In the Grants and Contribution Policy, approved November 24, 2020, the total amount paid for grants in a fiscal years' operating budget will not normally exceed one percent of the taxes for general municipal purposes.

For example, in 2020-21 this amount would have been \$186,511. If this funding levels were approved at \$75,000 thousand for West Hants Dial-A-Ride, it would leave \$111,511 remaining, for other groups that applied for municipal grants.

OPTIONS

- A. Council may choose to continue to determine the level of support during the annual grant and contribution process. Requiring an annual application, and applicable to the Grants and Contribution Policy. (status quo)
- B. Council may choose to add a line item for a lower amount as the annual grants' contribution, but still requiring all supporting financial documentation is still required, less the application prior to March 1st.
- C. Council may choose to add the full amount requested for the annual grant contribution, but still requiring all supporting financial documentation is still required, less the application prior to March 1st.
- D. Council may choose to add the full amount requested for the annual grant contribution, with no restrictions. This alternative is not recommended by Staff, as assurance and accountability for the use of public funds at this funding level would be recommend.

ATTACHMENTS

- WH Dial-a-Ride Financial & Supporting Info Package
- June 25, 2019 Rural Public Transportation Report to Municipality of West Hants's Committee of the Whole.

CHIEF ADMINISTRATIVE OFFICER REVIEW

It should be highlighted that "Rural Transportation" has emerged as a top five priority of this Council through the recent strategic planning process. I have not further comments regarding the prepared report.

Report Prepared by: _____
Carlee Rochon, Director of Financial Services

Report Reviewed by:  _____
Shelleena Thornton, Administrative Supervisor

Report Approved by:  _____
Mark Phillips, CAO

From: Sewell, A Gregory
Sent: January 13, 2021 11:25 AM
To: Andrea Boone
Subject: CTAP Funding

Andrea,

Further to our discussion today this is to confirm that the Provinces contribution to West Hants Dial-A-Ride will not be reduced if there is a contribution from your municipal partners. Community transportation funding from the Community Transportation Assistance Program (CTAP) is allocated based on the population and linear kms of a service providers service area. The amount of municipal contribution is not factored into this calculation.

If you required any further details please let me know.

Greg

*Greg Sewell
Director, Accessibility & Community Transportation
Department of Communities, Culture & Heritage
902-719-7673*

Ac...	Account Description	Debits	Credits
1030	Mental Health and Addictions	599.87	-
1035	Municipal Affairs Grant Prepaid	737.26	-
1040	Vibrant Communities Grant	-	19.44
1050	High Interest Savings	11,354.24	-
1060	Chequing Bank Account	28,504.20	-
1200	Accounts Receivable	85,219.59	-
1215	CTAP - Receivable	-	12,572.00
2100	Accounts Payable	-	188.37
3560	Retained Earnings - Previous Year	-	64,649.25
4020	Province of Nova Scotia	-	15,563.00
4042	United Way HFX	41.48	-
4045	CHB Wellness Fund	-	1.00
4050	CTAP	-	76,596.65
4072	User Revenue	-	169,847.31
4075	Contract Revenue	-	5,535.00
5010	Vehicle - Cell Phone	980.08	-
5020	Vehicle - Fuel	3,668.63	-
5025	Vehicle - Licenses & Fees	275.20	-
5030	Vehicle - Repairs & Maintenance	5,040.94	-
5035	Vehicle - Supplies	401.28	-
5040	Vehicle - Insurance	3,924.05	-
5275	HST Paid	2,036.44	-
5410	Wages & Salaries (Fixed)	66,901.92	-
5460	RRSP Contributions	1,258.14	-
5615	Advertising & Promotions	86.01	-
5635	Bank Charges	413.48	-
5645	Vehicle Insurance	250.00	-
5650	Mileage Reimbursement- Volunt...	94,383.76	-
5651	Meals/Parking - Volunteers	628.88	-
5652	Tokens/Parking	3,333.11	-
5655	Sub Contract Costs	4,385.84	-
5690	Interest & Bank Charges	122.64	-
5700	Office Supplies	882.94	-
5705	Office Furniture and Equipment	943.04	-
5710	Volunteer Appreciation	10.00	-
5720	Professional Fees	17,108.62	-
5725	Professional Development	76.12	-
5735	Membership & Licenses	100.00	-
5760	Rent	11,000.00	-
5780	Telephone/Internet	298.56	-
5785	Travel & Meals	5.70	-
		<u>344,972.02</u>	<u>344,972.02</u>

REVENUE

revenue

Province of Nova Scotia	15,563.00	(NS-TRIP → BOLT pilot)
United Way HFX	-41.48	
CHB Wellness Fund	1.00	
CTAP	76,596.65	
User Revenue	169,847.31	
Contract Revenue	5,535.00	
Net Sales	<u>267,501.48</u>	

TOTAL REVENUE

267,501.48

EXPENSE

Cost of Goods Sold

Vehicle - Cell Phone	980.08	
Vehicle - Fuel	3,668.63	
Vehicle - Licenses & Fees	275.20	
Vehicle - Repairs & Maintenance	5,040.94	
Vehicle - Supplies	401.28	
Vehicle - Insurance	3,924.05	
Vehicle Expense - Total		14,290.18
HST Paid	<u>2,036.44</u>	
Net Purchases		2,036.44
Total Cost of Goods Sold		<u>16,326.62</u>

Payroll Expenses

Wages & Salaries (Fixed)	66,901.92
RRSP Contributions	1,258.14
Total Payroll Expense	<u>68,160.06</u>

General & Administrative E...

Advertising & Promotions	86.01
Bank Charges	413.48
Vehicle Insurance	250.00
Mileage Reimbursement- Volunt...	94,383.76
Meals/Parking - Volunteers	628.88
Tokens/Parking	3,333.11
Sub Contract Costs	4,385.84
Interest & Bank Charges	122.64
Office Supplies	882.94
Office Furniture and Equipment	943.04
Volunteer Appreciation	10.00
Professional Fees	17,108.62
Professional Development	76.12
Membership & Licenses	100.00
Rent	11,000.00
Telephone/Internet	298.56
Travel & Meals	5.70
Total General & Admin. Exp...	<u>134,028.70</u>

TOTAL EXPENSE

218,515.38

NET INCOME

48,986.10 (reserve for
New van 2021)

ASSET

Current Assets

Mental Health and Addictions	599.87	
Municipal Affairs Grant Prepaid	737.26	
Mun WH Grant	0.00	
Town of Windsor 2019	0.00	
Vibrant Communities Grant	-19.44	
High Interest Savings	11,354.24	
Bank - Savings (0066818)	0.00	
Chequing Bank Account	28,504.20	
Bank adjustments	0.00	
Total Cash		41,176.13
Accounts Receivable	85,219.59	
CTAP - Receivable	-12,572.00	
Total Receivable		72,647.59

Total Current Assets

113,823.72

TOTAL ASSET

113,823.72

LIABILITY

Current Liabilities

Accounts Payable		188.37
RRSP Employer Contribution	0.00	
Total RRSP Payable		0.00
Deferred Revenue		0.00
Gift Card Deferred Revenue	0.00	
Gift Card Redeemed	0.00	
Net Gift Card		0.00

Total Current liabilities

188.37

TOTAL LIABILITY

188.37

EQUITY

Retained Earnings

Retained Earnings - Previous Year	64,649.25
Current Earnings	48,986.10
Total Retained Earnings	113,635.35

TOTAL EQUITY

113,635.35

LIABILITIES AND EQUITY

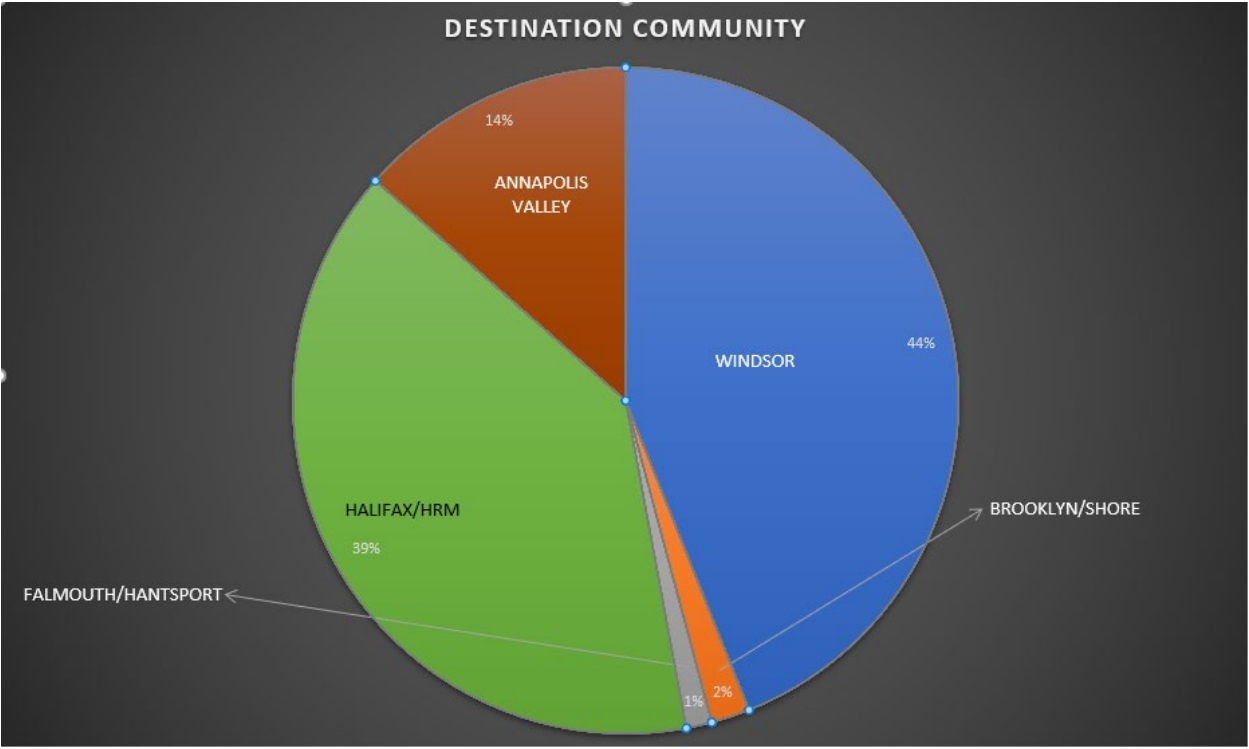
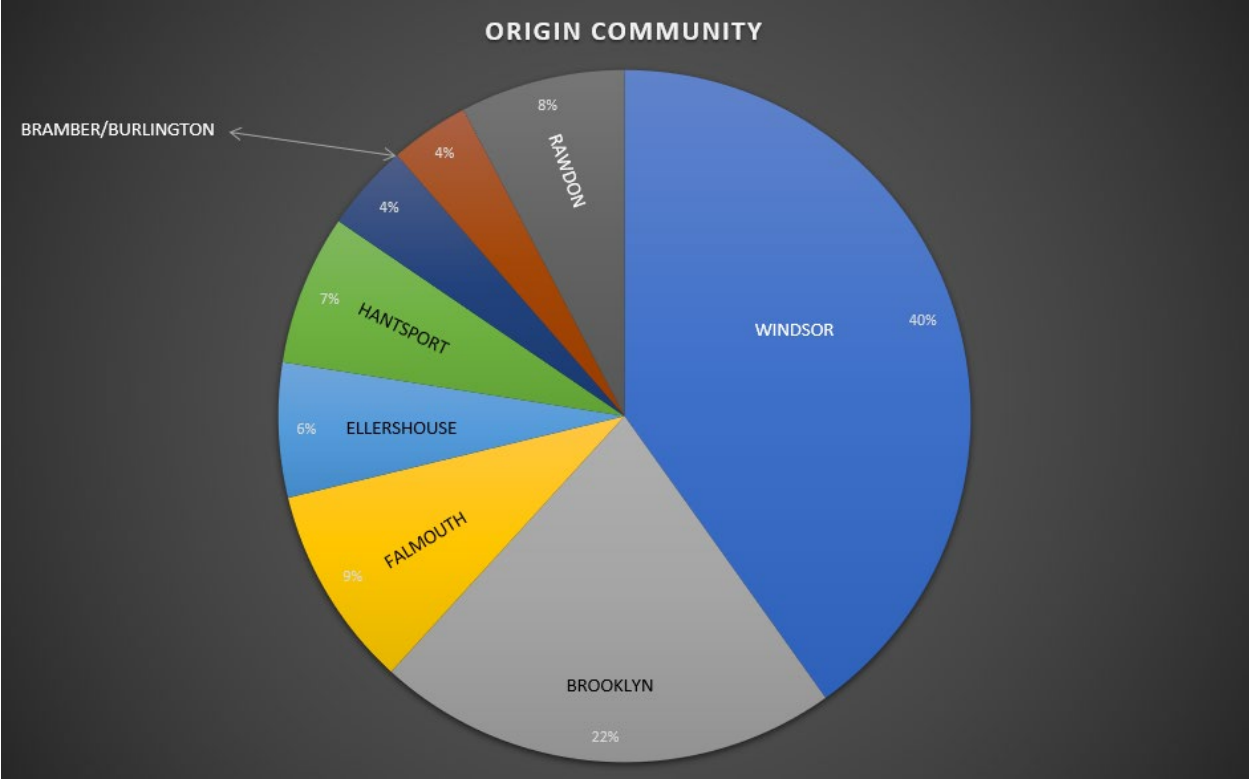
113,823.72

COMMUNITY TRANSPORTATION ASSISTANCE PROGRAM (CTAP)

3 Year Approved Budget (per annual fiscal year)

	Budget 2019-20	Actuals 2019-20	Budget 2020-21	Budget 2021-22	Budget 2022-23
Notes:	As per approved 19-20 budget	Should be identical to signed Schedule C-D	Once approved this should be identical to Schedule C-D	Explain significant variances	Explain significant variances
Revenue Sources:					
CTAP (Province)	76,596	76,596	76,596	76,596	76,596
Fuel Tax Rebate (Province)					
Poverty Reduction Strategy (Province)		12,572			
Municipal	8,550	8,550	8,550		
Federal Gas Tax Rebate					
HST Rebate	1,750	2,174	2,000	2,000	2,000
Fare Income	110,000	126,148	115,000	120,000	126,000
Charter					
Contactual	16,500	14,351	10,000	14,000	14,000
Fund Raising	250	250	250	250	250
Memberships					
Donations (receipt issued)					
Corporate Sponsorship					
NS-TRIP	22,588	22,588			
Other (Specify)					
United Way			5,000		
Town of Windsor	10,000	10,000			
TOTAL Revenue	246,234	273,229	217,396	212,846	218,846
Administrative Expenditures:					
Salaries & Benefits (mgt/dispatch/term)	65,788	68,282	70,124	70,124	70,124
Office Rent/Utilities/Maintenance	11,000	11,000	12,000	12,000	12,000
Office Expenses/Supplies	1,800	2,096	1,500	2,000	2,000
Phone/Internet/Web Costs	1,050	1,046	1,000	1,050	1,050
Advertising, Promotion	1,000	1,054	1,000	1,000	1,000
Contractual Costs (accounting, legal)	900	900	900	900	900

Association Dues and Fees	200	200	200	200	200
Meeting/Conference Expenses	200	200	100	200	200
Travel (Kms)	150	150	100	150	150
Staff/Volunteer Training	300	300	200	300	300
Insurance	500	500	500	500	500
NS-TRIP		30,072			
Other (Specify)					
Total Admin Expenditures	82,888	115,800	87,624	88,424	88,424
Vehicle Expenditures:					
Salaries & Benefits (Drivers)	25,000	29,265	18,000	21,000	22,500
Stipend to Volunteers	100,000	114,097	90,000	93,000	94,000
Parking/Tolls Expense	2,000	1,918	1,000	1,000	1,500
Insurance (vehicles)	1,033	1,020	1,000	1,033	1,033
Vehicle Repairs/Maintenance	4,500	7,705	3,000	4,000	4,000
Vehicle Registration	70	70	70	70	70
Fuel	7,500	7,286	3,000	4,000	4,500
Other (Specify)					
Total Vehicle Expenditures	140,103	161,361	116,070	124,103	127,603
TOTAL OPERATING EXPENSES	222,991	277,161	203,694	212,527	216,027
CASH SURPLUS (Deficit)	23,243	-3,932	13,702	319	2,819
CURRENT BANK BALANCE					
CAPITAL (VEHICLE) RESERVE					
ATAP					
TOTAL RIDERSHIP					
RIDES PER CAPITA	0.00	0.00	0.00	0.00	0.00



2019-20 Community Transit - Poverty Reduction Investment Program

Organization		West Hants Dial a Ride				Reporting Period		Jan-20	
Date	Community Name Pickup	Community Name Dropoff	Trip Type	Wheel Chair Passenger	Age Demographic	# of Riders	Regular Fare	1/2 Drive Subsidy	1/3 Drive Subsidy
Jan 6/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	87	44	29
Jan 1/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	87	44	29
Jan 20/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	89	45	30
Jan 27/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	89	45	30
Jan 28/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	93	47	31
Jan 29/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	93	47	31
Jan 2/20	Windsor	Windsor	medical appointments to hospitals	yes	general	1	80	40	27
Jan 3/20	Windsor	Windsor	medical appointments to hospitals	yes	general	1	80	40	27
Jan 4/20	Falmouth	Windsor	other medical appointments	yes	senior	1	55	28	18
Jan 2/20	Brooklyn	Halifax	other medical appointments	no	senior	1	89	45	30
Jan 10/20	Windsor	Kentville	medical appointments to hospitals	no	general	1	69	35	23
Jan 23/20	Mt Uniacke	Wolfville	other medical appointments	no	general	1	99	50	33
Jan 30/20	Burlington	Halifax	medical appointments to hospitals	no	senior	1	104	52	35
Jan 14/20	Windsor	Kentville	reduce social isolation	no	senior	1	230	115	77
Jan 21/20	Windsor	Halifax	medical appointments to hospitals	no	youth	1	92	46	31
Jan 26/20	Windsor	Wolfville	other medical appointments	no	general	1	49	25	16
Jan 27/20	Windsor	Kempt	other medical appointments	no	senior	1	44	22	15
Jan 28/20	Brooklyn	Halifax	medical appointments to hospitals	yes	senior	1	170	85	57
Jan 2/20	St. Croix	Halifax	medical appointments to hospitals	no	senior	1	84	42	28
Jan 2/20	Windsor	Windsor	medical appointments to hospitals	yes	senior	1	55	28	18
Jan 2/20	Windsor	Dartmouth	other medical appointments	yes	senior	1	99	50	33
Jan 2/20	Brooklyn	Windsor	other medical appointments	yes	general	1	80	40	27

2019-20 Community Transit - Poverty Reduction Investment Program

Organization		Reporting Period							
West Hants Dial a Ride		Jan-20							
Date	Community Name Pickup	Community Name Dropoff	Trip Type	Wheel Chair Passenger	Age Demographic	# of Riders	Regular Fare	1/2 Drive Subsidy	1/3 Drive Subsidy
Jan 6/20	Windsor	Sackville	other medical appointments	no	general	1	163	82	54
Jan 3/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	114	57	38
Jan 3/20	Windsor	Halifax	other medical appointments	no	general	1	89	45	30
Jan 3/20	Brooklyn	Windsor	medical appointments to hospitals	yes	general	1	80	40	27
Jan 3/20	Brooklyn	Windsor	employment	no	general	1	5.75	3	-
Jan 6/20	Burlington	Halifax	other medical appointments	no	senior	1	106	53	35
Jan 6/20	Windsor	Bedford	other medical appointments	yes	senior	1	170	85	57
Jan 6/20	Brooklyn	Windsor	other medical appointments	yes	general	1	80	40	27
Jan 6/20	Windsor	Windsor	other medical appointments	yes	senior	1	55	28	18
Jan 6/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	173	86	58
Jan 7/20	Windsor	Halifax	other medical appointments	no	senior	1	89	45	30
Jan 7/20	Burlington	Halifax	medical appointments to hospitals	no	senior	1	153	75	51
Jan 7/20	Windsor	Windsor	other medical appointments	yes	general	1	55	28	18
Jan 7/20	Windsor	Windsor	food bank	no	general	1	17	9	6
Jan 7/20	Brooklyn	Windsor	employment	no	general	1	5	-	-
Jan 7/20	Windsor	Windsor	food bank	no	general	1	17	9	6
Jan 8/20	Brooklyn	Windsor	employment	no	general	1	5	-	-
Jan 8/20	Burlington	Halifax	medical appointments to hospitals	no	senior	1	153	75	51
Jan 9/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	91	45	30
Jan 9/20	Brooklyn	Windsor	employment	no	general	1	5	-	-
Jan 10/20	Windsor	Halifax	other medical appointments	no	senior	1	89	45	30
Jan 10/20	Brooklyn	Windsor	employment	no	general	1	6	3	-

2019-20 Community Transit - Poverty Reduction Investment Program

Organization		Reporting Period							
West Hants Dial a Ride		Jan-20							
Date	Community Name Pickup	Community Name Dropoff	Trip Type	Wheel Chair Passenger	Age Demographic	# of Riders	Regular Fare	1/2 Drive Subsidy	1/3 Drive Subsidy
Jan 10/20	Brooklyn	Halifax	medical appointments to hospitals	no	general	1	74	38	25
Jan 10/20	Burlington	Halifax	medical appointments to hospitals	no	senior	1	153	75	51
Jan 13/20	Windsor	Dartmouth	other medical appointments	no	senior	1	84	42	28
Jan 13/20	Windsor	Fairview	other medical appointments	no	general	1	89	45	30
Jan 13/20	Mt Denson	Wolfville	other medical appointments	no	senior	1	46	23	15
Jan 13/20	Scotch Village	Halifax	medical appointments to hospitals	no	senior	1	81	40	27
Jan 13/20	Burlington	Halifax	medical appointments to hospitals	no	senior	1	153	75	51
Jan 14/20	Brooklyn	Halifax	other medical appointments	no	senior	1	86	43	29
Jan 14/20	Scotch Village	Halifax	medical appointments to hospitals	no	senior	1	100	50	33
Jan 14/20	Brooklyn	Windsor	employment	no	general	1	6	-	-
Jan 14/20	Hantsport	Kentville	medical appointments to hospitals	no	senior	1	65	33	22
Jan 14/20	Windsor	Windsor	other medical appointments	no	general	1	17	9	6
Jan 15/20	Ellershouse	New Minas	medical appointments to hospitals	no	general	1	118	59	39
Jan 15/20	Hantsport	Halifax	medical appointments to hospitals	no	senior	1	116	58	39
Jan 15/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	91	45	30
Jan 15/20	Windsor	Halifax	other medical appointments	no	senior	1	89	45	30
Jan 15/20	Windsor	Halifax	medical appointments to hospitals	no	general	1	89	45	30
Jan 15/20	Windsor	Windsor	medical appointments to hospitals	yes	senior	1	55	28	18
Jan 15/20	Mt Denson	Berwick	other medical appointments	no	senior	1	81	40	27

2019-20 Community Transit - Poverty Reduction Investment Program

Organization		Reporting Period							
West Hants Dial a Ride		Jan-20							
Date	Community Name Pickup	Community Name Dropoff	Trip Type	Wheel Chair Passenger	Age Demographic	# of Riders	Regular Fare	1/2 Drive Subsidy	1/3 Drive Subsidy
Jan 15/20	Burlington	Windsor	employment	no	general	1	5.75	-	-
Jan 15/20	Hantsport	Windsor	medical appointments to hospitals	no	senior	1	75	38	25
Jan 15/20	Cheverie	Windsor	other medical appointments	no	senior	1	81	40	27
Jan 15/20	Hantsport	Windsor	reduce social isolation	no	general	1	43	20	14
Jan 16/20	Burlington	Windsor	employment	no	general	1	5	-	-
Jan 16/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	89	45	30
Jan 16/20	Windsor	Windsor	other medical appointments	yes	senior	1	55	28	18
Jan 16/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	89	45	30
Jan 16/20	Windsor	Brooklyn	reduce social isolation	yes	general	1	120	60	40
Jan 16/20	Scotch Village	Halifax	medical appointments to hospitals	no	senior	1	104	50	35
Jan 16/20	Brooklyn	Windsor	employment	no	general	1	5	-	-
Jan 17/20	Brooklyn	Windsor	employment	no	general	1	5	-	-
Jan 17/20	Windsor	Windsor	food bank	no	general	1	17	9	-
Jan 17/20	Newport Station	Halifax	medical appointments to hospitals	no	senior	1	82	40	27
Jan 18/19	Windsor	Sackville	reduce social isolation	no	general	1	64	32	21
Jan 18/19	Windsor	Ardoise	reduce social isolation	no	general	1	80	40	26
Jan 19/19	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	84	42	28
Jan 20/20	Scotch Village	Halifax	medical appointments to hospitals	no	senior	1	101	50	34
Jan 20/20	Ellershouse	Windsor	other medical appointments	no	general	1	49	25	16
Jan 20/20	Ellershouse	Dartmouth	other medical appointments	no	senior	1	67	34	22
Jan 20/20	Windsor	Windsor	food bank	no	general	1	17	9	6

2019-20 Community Transit - Poverty Reduction Investment Program

Organization		Reporting Period							
West Hants Dial a Ride		Jan-20							
Date	Community Name Pickup	Community Name Dropoff	Trip Type	Wheel Chair Passenger	Age Demographic	# of Riders	Regular Fare	1/2 Drive Subsidy	1/3 Drive Subsidy
Jan 21/20	Ellershouse	Middleton	other medical appointments	no	general	1	300	150	100
Jan 21/20	Bramber	Lower Sackville	other medical appointments	no	senior	1	114	57	38
Jan 21/20	Brooklyn	Windsor	employment	no	general	1	6	-	-
Jan 22/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	92	46	31
Jan 22/20	Hantsport	Windsor	educational programing	no	general	1	22	11	7
Jan 22/20	Windsor	Windsor	medical appointments to hospitals	yes	senior	1	55	46	18
Jan 22/20	Windsor	Wolfville	other medical appointments	no	general	1	50	25	16
Jan 23/20	Brooklyn	Windsor	employment	no	general	1	6	-	-
Jan 27/20	Windsor	Dartmouth	other medical appointments	no	senior	1	100	50	33
Jan 27/20	Newport Station	Windsor	medical appointments to hospitals	no	senior	1	90	45	30
Jan 27/20	Scotch Village	Halifax	medical appointments to hospitals	no	senior	1	101	50	34
Jan 28/20	Brooklyn	Windsor	employment	no	general	1	5	-	-
Jan 28/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	183	92	61
Jan 28/20	Hantsport	Kentville	medical appointments to hospitals	no	senior	1	65	32	22
Jan 28/20	Ellershouse	Windsor	other medical appointments	no	general	1	50	25	16
Jan 29/20	Brooklyn	Windsor	employment	no	general	1	5	-	-
Jan 29/20	St. Croix	Halifax	medical appointments to hospitals	no	senior	1	99	50	33
Jan 29/20	Ellershouse	Windsor	other medical appointments	no	general	1	33	17	11
Jan 29/20	Brooklyn	Windsor	medical appointments to hospitals	no	general	1	5	-	-
Jan 29/20	Brooklyn	Union Corner	reduce social isolation	yes	general	1	170	85	57
Jan 29/20	Brooklyn	Windsor	other medical appointments	no	general	1	6	-	-

2019-20 Community Transit - Poverty Reduction Investment Program

Organization		Reporting Period							
West Hants Dial a Ride		Jan-20							
Date	Community Name Pickup	Community Name Dropoff	Trip Type	Wheel Chair Passenger	Age Demographic	# of Riders	Regular Fare	1/2 Drive Subsidy	1/3 Drive Subsidy
Jan 29/20	Brooklyn	Windsor	other medical appointments	no	general	1	6	-	-
Jan 29/20	Windsor	Windsor	medical appointments to hospitals	yes	senior	1	110	55	37
Jan 29/20	Brooklyn	Windsor	medical appointments to hospitals	no	general	1	6	-	-
Jan 30/20	Ellershouse	Windsor	other medical appointments	no	general	1	50	25	17
Jan 30/20	Falmouth	Middleton	other medical appointments	no	senior	1	126	63	42
Jan 30/20	Brooklyn	Halifax	medical appointments to hospitals	no	senior	1	87	44	29
Jan 30/20	Brooklyn	Kentville	medical appointments to hospitals	no	senior	1	67	34	22
Jan 30/20	Falmouth	New Minas	other medical appointments	no	senior	1	73	37	24
Jan 30/20	Windsor	Lower Sackville	other medical appointments	no	senior	1	74	37	24
Jan 30/20	Ellershouse	New Minas	medical appointments to hospitals	no	general	1	50	25	17
Jan 31/20	St. Croix	Halifax	medical appointments to hospitals	no	general	1	168	34	56
Jan 31/20	Windsor	New Minas	other medical appointments	no	general	1	59	30	20
Jan 31/20	Windsor	Windsor	reduce social isolation	yes	general	1	110	55	37
Jan 31/20	Brooklyn	Windsor	medical appointments to hospitals	no	general	1	6	-	-
Jan 31/20	Windsor	Halifax	other medical appointments	no	general	1	106	53	35
Jan 31/20	Ellershouse	Windsor	reduce social isolation	yes	senior	1	130	65	43
Jan 31/20	Brooklyn	Windsor	other medical appointments	no	general	1	6	-	-
Jan 31/20	Windsor	Windsor	reduce social isolation	yes	senior	1	110	55	36
Jan 31/20	Windsor	Windsor	medical appointments to hospitals	yes	general	1	55	28	18
Jan 31/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	132	66	44
Jan 31/20	Ellershouse	Halifax	medical appointments to hospitals	no	senior	1	164	82	55
Jan 31/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	57	29	19

2019-20 Community Transit - Poverty Reduction Investment Program

Organization		West Hants Dial a Ride		Reporting Period		Jan-20			
Date	Community Name Pickup	Community Name Dropoff	Trip Type	Wheel Chair Passenger	Age Demographic	# of Riders	Regular Fare	1/2 Drive Subsidy	1/3 Drive Subsidy
Jan 31/20	Windsor	Halifax	medical appointments to hospitals	no	senior	1	99	50	33
Jan 31/20	Mt Uniacke	Coldbrook	other medical appointments	no	general	1	111	56	37
Jan 31/20	Windsor	Hantsport	medical appointments to hospitals	no	general	1	20	10	7
Jan 31/20	Windsor	Halifax	medical appointments to hospitals	no	general	1	89	45	30
							\$ 10,196.50	\$ 5,026.00	\$ 3,359.00

*~\$5000 x 12= ~\$3500 x 12= \$42,000 *

From January 2020 actuals. If subsidy was granted, these amounts will be greater with popularity and accessibility to lower drive costs

Also factor in more reimbursement costs as well as increased gas consumption costs



MUNICIPALITY OF THE DISTRICT OF WEST HANTS INFORMATION REPORT

To: Warden Zebian and Members of West Hants Council

Submitted by: _____
Sara Poirier, Planner

Date: June 25, 2019

Subject: Rural Public Transportation

Origin

Objective 6.1 of the West Hants Strategic Plan states that the Municipality should *"encourage affordable transportation options"* with Action item 6.1.1 aiming to accomplish this by *"investigating rural transportation options, including rural transit, and conducting a transportation needs assessment"*.

Legislative Authority

Municipal Government Act Part IV Section 65 *power to expend money*.

Discussion and Document Review

West Hants Strategic Plan 2017

The Municipality hired consultants to develop the West Hants Strategic Plan (2017-2022) which provides direction and allocates resources for the Municipality over the 5-year plan period. The plan has eight specific goals which outline action items, the rationale, the municipal champions and start date for each. The goals of the plan include: (1) economic development, (2) agriculture, (3) financial management, (4) inter-municipal cooperation, (5) community connections, (6) inclusive and supportive community, (7) tourism, arts and culture and (8) implementation.

Goal 6 of the Plan suggests that the Municipality should *"Become a more inclusive and supportive community by encouraging community health, as well as transportation and*

housing options that will meet the needs of the Municipality's changing demographic profile." Objective 6.1 of the Plan states to *"encourage affordable transportation options"* with Action 6.1.1 aiming to accomplish this by *"investigating rural transportation options, including rural transit, and conducting a transportation needs assessment."* The rationale for this action item was that *"Transportation is on average the second largest expense for Nova Scotia households. Further study is warranted to explore transportation options that meet the needs of residents and helps reduce household expenditures."* It was anticipated that this action should begin within one year of the Strategic Plan adoption.

Benefits of Rural Public Transportation

There are a variety of social, economic and environmental benefits of rural public transportation (Table 1). Encouraging a rural public transportation system also assists with Objective 6.3 and 6.4 of the Strategic Plan which are to *"Encourage West Hants to be a healthy and active community"* and to *"Reduce isolation of older adults and other marginalized groups"*.

Table 1: Benefits of Rural Public Transportation	
Allows residents with low income to gain access to services, employment, healthcare, food, etc.	Reduces transportation costs for low income residents, single-parent families, residents with disabilities, etc.
Increases independence for those without a vehicle (youth and seniors)	Allows seniors to age in place
Reduces social isolation and ensures people can remain connected	Potential economic boost for businesses on the transit route and can aid in tourism
Provides opportunity to develop partnerships in the community	Potential to reduce traffic and parking requirements
Helps promote active transportation	

History of Public Transportation in West Hants

For 10 years (2006 - 2016), the Kings Transit Authority provided a transit service to a portion of the Municipality of West Hants. The route serviced Wolfville to Brooklyn and included stops in Hantsport, Mount Denson, Falmouth, Windsor and Ellershouse. The Municipality contributed \$188,721 in the 2013/2014 budget to the Kings Transit Authority for the service. As ridership dwindled and costs of providing the service rose, both Windsor and West Hants Councils made the decision to give notice to Kings Transit Authority to withdraw from the service. Since then West Hants Council has been interested in investigating alternatives for providing or supporting rural public transportation.

In November 2018, Colleen Rogers from the West Hants Uniacke Community Health Board and Andrea Parker from the Nova Scotia Health Authority made a presentation to the West

Hants Committee of the Whole regarding their research on transportation in the Windsor / West Hants area to date (Appendix A). Ms. Rogers reported that the Community Health Board produced the 2017 Central Zone Community Health Plan which prioritized transportation as one of the factors that influence the social determinants of health.

The West Hants Uniacke Community Health Board sub-committee met with residents, service providers, the Mayor of the Town of Windsor and the Warden of the Municipality of the District of West Hants. The discussions from these meetings identified the need to link rural communities to Windsor, and link Windsor to the Annapolis Valley and to the Halifax Regional Municipality. The sub-committee also looked at potential service options and identified the need for a community champion.

At the same COTW meeting in November 2018, Andrea Boone, Sara Downing, and Nancy McKinley from West Hants Dial-A-Ride made a presentation about the door-to-door service they provide to the community. The representatives from West Hants Dial-A-Ride suggested that if they were to receive funding from West Hants Council that there may be an opportunity for Dial-a-Ride to further subsidize fare prices for users. Council passed a motion to consider Dial-a-Ride's funding request during the 2019/2020 budget discussions.

Existing Service Providers in West Hants

Maritime Bus

Maritime Bus offers a flag stop service between Falmouth and the Halifax Regional Municipality or Falmouth and the Annapolis Valley. A flag stop service is one where passengers can request a stop along the route. The bus stop in Falmouth is located at the Falmouth Circle K, 2113 Highway 1. Stops at this location must be booked a day in advance. The service is available seven days a week and costs approximately \$26 return from Falmouth to Halifax.

West Hants Dial-a-Ride

West Hants Dial-a-Ride is a non-profit organization that provides a door-to-door accessible transportation option to seniors, residents with disabilities and those unable to obtain reliable transportation for medical appointments, errands and other activities. The service is available seven days a week with pick up areas in West Hants and Windsor. Their drivers use two wheelchair-accessible vans as well as their own personal vehicles to transport residents from the Municipality or Town to appointments across the Province. Reservations must be made at least 24 hours in advance. In the November 2018 presentation to Committee of the Whole, the representatives from West Hants Dial-a-Ride stated that the average cost of one trip to Halifax would be approximately \$153, in which the user would only pay \$76.50 as the other half was covered by grants.

Windsor Senior Bus Society

The Windsor Senior Bus Society is a non-profit organization that provides a transportation option for seniors and residents with disabilities living in assisted care facilities in West Hants and Windsor. Five care homes in the community currently pay users fees to have access to the service. In March 2018 the society received approval to begin providing services to

groups or organizations within Hants and Kings Counties. The service utilizes one 36-passenger accessible bus and takes residents on planned outings to the Annapolis Valley or Halifax Regional Municipality. In January 2019 the Society received \$10,000 from the Windsor Rotary Club to be used towards the purchase of a new bus.

Errands by Karen

Errands by Karen opened in 2014 to provide transportation assistance to residents of West Hants and Kings County. Karen helps with errands, appointments, and outings. Her services are available between 7 a.m. and 7 p.m. Monday to Saturday and she charges \$25 per hour for errands and outings. Her goal is to *"help people remain independent and engaged in their community"*.

Taxi's

There are 10 taxi providers that service the Annapolis Valley East which includes the area from Berwick (west) to Kennetcook (east) and Mount Uniacke (south).

Example of Other Service Providers in Surrounding Municipalities

Kings Transit

Kings Transit began operating in 1981 and currently has 6 routes that travel to communities between Weymouth and Hants Border. Their stop on Tannery Road in Hants Border located just outside of Hantsport is the closest connection to the Municipality. Buses on this route between Hants Border and Kentville run every two hours from 7:00 a.m. to 8:00 p.m. Monday to Friday and 9:00 a.m. to 6:00 p.m. on Saturday. The stop on Tannery Road is approximately 12km from downtown Windsor.

Halifax Transit

Halifax Transit, previously known as Metro Transit, began operation in the Halifax Regional Municipality in 1982. Halifax Transit has 65 fixed route buses, two ferry routes and owns over 320 buses and five ferries. Their routes are concentrated in areas of downtown Halifax, Dartmouth, Bedford and Sackville but also have routes that reach communities as far away as Porters Lake and Upper Tantallon.

Halifax Transit also provides a low-income transit pass program which accepts 2,000 transit users from low-income households per year and allows them to purchase monthly transit passes at 50% of the regular price. They also provide a variety of senior's services including free fare for seniors on Tuesdays and "request a stop" service available on all routes after 6 p.m.

The Sackville Terminal location off Exit 2 of Highway 101 is currently the closest location for residents of West Hants to travel to gain access to the Halifax Transit service. There is a proposed bus terminal to be constructed in 2020 at Margeson Drive in Lower Sackville. The proposal includes a park and ride location for approximately 500 vehicles and would be served by the Middle Sackville Regional Express. This terminal would be located off Exit 2A of Highway 101, which is a 45km drive to downtown Windsor.

Halifax Regional Municipality also supports other transportation options in their municipality. In 2014 HRM Council adopted the Rural Transit Funding Program which provides grants to rural transit operators to subsidize the cost of operating their service. The grants are provided as either a lump sum payment up to \$10,000 or a flat rate of \$0.50 per kilometer travelled up to \$105,000 (2017/2018). To be eligible to receive the funding the transit service must meet an unmet demand, serve the residents of the municipality, not be membership based, and be operated by a non-profit or cooperative.

The SmartTrip Program administered by the HRM offers employee transit passes (EPass), lunch and learns about cycling, a guaranteed ride home program, and online ride matching. The online ride matching service is called Halifax Ride Match where users create a profile and input details of their commute (i.e. days, times and locations). The system then matches the user with other users that may be traveling between similar locations at similar times. The program provides a way to contact the matched users and provide tips on how to organize a carpool but leaves it to the users to organize the details.

Transportation Needs Assessment

As stated previously, Action 6.1.1 of the West Hants Strategic Plan encourages Council to investigate rural transportation options by conducting a transportation needs assessment. A transportation needs assessment evaluates the demographics of an area and estimates the potential demand for a transit service. A transportation feasibility study goes further to examine the feasibility of a new transit service and discusses the potential features of a service including the size of service, routes, stop locations, times and payment methods. Any transportation needs assessment / feasibility study for the area should be done collaboratively with the Town of Windsor, Nova Scotia Health Authority, existing service providers and residents to determine specific needs of the community and what potential service options could look like.

Windsor – West Hants Consolidation

Conducting a transportation needs assessment / feasibility study is the first step to determine the best rural transportation service option for the Municipality and would require the Municipality to hire consultants to provide assistance with this project. As there has been no funding budgeted for this assessment / study staff have investigated potential external funding sources (Appendix B). However, due to consolidation and the new Windsor-West Hants regional government beginning on April 1, 2020 it would not be in the current West Hants Councils purview to make the decision to fund this project. The long-term decisions regarding rural public transportation and the transportation needs assessment / feasibility study should be discussed by the new regional government.

Funding Opportunities

Staff investigated potential funding opportunities for transportation research in Nova Scotia (Appendix B). Certain funding streams are solely available for non-profit community-based organizations and others assist with existing transit services.

The main source of funding that would support a transportation feasibility study/needs assessment is the Nova Scotia Transit Research Incentive Program (NS-TRIP) through the Nova Scotia Department of Communities, Culture and Heritage. In phase 1 it can provide up to \$15,000 to cover 100% of a feasibility study/needs assessment for a new community transit service (door-to-door or fixed flex route transit service), new fixed route transit service, or research projects for existing services. Applications for this program are usually accepted annually between March and April.

The new regional government could direct staff to apply for funding through one or more of the programs outlined in Appendix B.

Options

Although this is not an exhaustive list, staff have prepared a few options for COTW to consider recommending to Council to encourage affordable rural transportation in the Municipality. The short-term actions can be undertaken immediately in collaboration with the Town of Windsor whereas the long-term options should be considered in the context of the new regional government. The current West Hants Council is not able to make decisions that will surpass March 31, 2020 due to consolidation. Any long-term options should be conducted collaboratively with the Town of Windsor and funding for these projects would need to be determined by the new regional government.

Short-term

- *Advertise the existing services:* Make information about existing transportation services more readily available to residents. Provide links on the Municipal website and social media pages, and post information at the Municipal and Town offices regarding car sharing programs, carpooling and provincial carpool parking lots, existing transportation providers, funding, etc.
- *Support the existing rural transportation service providers:* As there is already a variety of services provided to residents, it may be beneficial to start by financially supporting (through partnerships, providing letters of support, staff time, and annual community grants (Dial-a-Ride received funding in 2019-2020 budget)) the existing service providers including those non-profits outlined previously. The additional support could help the service providers expand their services or provide a more affordable service to residents.

Long-term (for consideration by the new regional government)

- *Encourage partnerships with Kings Transit and Halifax Transit to provide a connection between the Annapolis Valley and Halifax:* This would require extensive staff time or a consultant to be hired to determine the feasibility, cost, service options (daily, weekly, monthly) of the proposed service. This option could include creating partnerships to utilize the West Hants Dial-a-Ride and/or the Windsor Senior Bus Society to get residents from the rural areas of West Hants to the Town of Windsor, and then from

the Town of Windsor to Sackville for pick up by Halifax Transit or to Hants Border for pick up by Kings Transit. Schedules would have to be created that align with all services and agreements would need to be reached among all parties.

- *Consider dedicating annual funding to rural transportation providers in the Municipality:* This fund could be similar to HRM's Rural Transit Funding Program and could be applied for by service providers annually to provide a flat rate per km (up to a certain amount) to existing and new transportation service providers in the Region, subject to funding criteria established by Council.
- *Conduct a transportation needs assessment:* Colleen Rogers and Andrea Parker already spoke to their findings of the transportation needs in the communities of Windsor and West Hants. Hiring a consultant to prepare a transportation needs assessment / feasibility study would determine the feasibility of a new transit service to fill the communities needs and discuss the potential features of a service including the size of service, routes, stop locations, times and payment methods. This option should only be considered in collaboration with community stakeholders and existing transportation providers. It should focus on maximizing the potential of the existing services, identifying gaps and the options that could be used to fill those gaps.
- *Investigate the options available to create a carpool website for the Region:* This option would require the Region to purchase and administer an online system that would connect residents with similar commutes (i.e. if two residents travel from the Windsor / West Hants area to the Annapolis Valley or Halifax Regional Municipality at a similar time of day they would be matched). The system could be similar to Halifax Ride Match under the HRM SmartTrip Program where the program matches the residents and it is up to them to contact each other to organize the carpool.

Financial Implications

There are no financial implications to the Municipality in relation to the filing of this report. There are associated financial implications with any of the options provided for Council to consider. None of the options provided have been budgeted for.

Conclusion

As the population ages, household transportation costs increase, and the Municipality encourages more economic growth, the demand for providing an affordable and efficient transportation system increases. This report presents an overview of the history of transportation in West Hants, the existing services and provides some options for moving forward.

As outlined previously in this report, there are a variety of options Council could pursue to meet Objective 6.1 of the Strategic Plan. However, the current West Hants Council has not budgeted for a transportation needs assessment which would specifically address Action 6.1.1 of the Strategic Plan. The long-term options would need to be considered collaboratively with the Town of Windsor and funding for these projects would have to be considered by the new regional government.

Attachment

- Appendix A 11-27-2018 COTW West Hants Dial-a-Ride Presentation
- Appendix B Table 2: Possible Funding

Report Approved by: Madelyn LeMay, Director of Planning and Development

Report Reviewed by: Martin Laycock, CAO

West Hants Dial-A-Ride

A Project of the Family Resource Centre

Funding Plan



Who We Are & What We Do

- ▶ Dial a Ride provides door-to-door pre-booked accessible rural transportation for those with transportation barriers of any kind.
- ▶ We enable adult learners access to educational opportunities.
- ▶ Give seniors and other general public a sense of independence they may be lacking.
- ▶ Enable the public who need to get to important and routine medical appointments, job interviews, food banks, grocery stores or any social events (funerals, visitations, family visits, etc.).

Current Transportation Options in West Hants/Windsor

- ▶ Dial A Ride
 - ▶ Taxi's
- ▶ Windsor Senior Bus Society
 - ▶ Errands by Karen

Statistics on Ridership

2017/2018 Fiscal Year

Total kilometers driven: 181,724

Total Ridership: 3,970

Department of Community Services: 1,284

General: 1,806

Contracts: 880

Of the 3,970: 857 required the wheelchair accessible van, 3,113 were able bodied.

Of the 3,970: 1,002 were seniors, 126 youth, and 2,842 were general public.



Funding

Dial a Ride is funded by:

- ▶ Community Transportation Assistance Program (CTAP)
- ▶ Poverty Reduction Government Investment Program (PRGIP)
- ▶ User Fares
- ▶ HST Rebates
- ▶ Provincial Grants
- ▶ Contract Revenue
- ▶ Donations
- ▶ Any other miscellaneous revenue



Community Transportation Assistance Program (CTAP)

2017/18: \$59,810 → 2018/19: \$76,598

- ▶ Pay increases for the van drivers as well as a small increase in salaries for administration workers.
- ▶ Upgraded technologies within the office (ie: new laptops)
- ▶ The ability to hire a new administrative assistant for 8-10 hours a week
- ▶ Purchase new advertising signs required for the new van



Poverty Reduction Government Investment Program (PRGIP)

This fiscal year (April 1/18 to March 31/19) Dial A Ride was offered program funding in the amount of \$8000 to subsidize low income residents of West Hants and Windsor with transportation costs.

- ▶ Pay What They Can – Dial A Ride with its grants will cover the remaining balance.
 - ▶ Go to appointments
 - ▶ Grocery shopping
 - ▶ Church
 - ▶ Social Events



Grants

2018/19 Fiscal Year Dial A Ride received:

Department of Communities, Culture and Heritage with Department of Community Services:

Building Vibrant Communities Fund - \$5000.00

In 5 months we have subsidized or totally covered over 60 drives with the **one time** \$5000.00 grant.



Building Vibrant Communities Grant

\$5,000 was spent:

- ▶ Seniors medical appointments: \$2,823
- ▶ Medical appointments: \$453
- ▶ Seniors outings: \$1432
- ▶ Clients needing transportation to bank appointments, grocery store, school who had no other means of paying: \$296



Costs for Dial A Ride

► Van

Driver's wages, vehicle insurance, fuel, maintenance and registration on vehicle, and an allowance for the purchase of a new van every 3-4 years.

► Volunteer

Reimbursement of mileage @.44 per kilometer, any costs incurred such as extra vehicle insurance for passengers, parking fees, bridge tolls, and drivers abstract as required.



- ▶ Drivers' Wage Total: \$15.68 per hour
- ▶ One trip to Halifax is about 4 hours: \$62.72 (\$15.68x4)
- ▶ Costs of fuel: (170km): \$60
- ▶ Insurance, maintenance, allowance for new van: \$30.00

TOTAL: 152.72

- ▶ Volunteer Drivers
- ▶ Round-trip to Halifax: 170km x .44: \$74.80
- ▶ Parking fees, drivers abstract, bridge tolls, etc: \$6

TOTAL: \$80.80

Expenses covered under the CTAP agreement each year (2017/18)

▶ Administration Wages:	\$48,705
▶ Rent:	\$ 6,000
▶ Office Expenses:	\$ 2,039
▶ Phone/Internet:	\$ 1,888
▶ Association Fees:	\$ 200
▶ Meeting Expenses	\$ 17
▶ Training	\$ 311
▶ Board Insurance	\$ 500
▶ Travel Expenses (Admin.)	\$ 150

TOTAL: \$59,810.00

Other Expenses Covered by Fare Income, HST Rebate, Contractual, etc. (2017/18)

▶ Volunteer Driver Stipend:	\$72,043
▶ Driver's Wages:	\$17,470
▶ Fuel:	\$ 5,382
▶ Vehicle Insurance:	\$ 4,356
▶ Vehicle Registrations:	\$ 66
▶ Vehicle Repairs:	\$ 7,031
▶ Parking:	\$ 904
▶ Accounting Fees:	\$ 1,814
▶ Advertising:	\$ 964
▶ Meeting Expenses:	\$ 197

TOTAL: \$110,227

Total Revenue was \$184,997

Total Expenses were \$170,037

*Net Income of \$14,960

The net income is deferred to an account to help pay for the new van and any vehicle-related expenses.

Funding Needs

- ▶ Block funding (secured): match the \$8,000 grant from Poverty Reduction Government Investment Program.
- ▶ Per kilometer funding: Take last fiscal year's total kilometers driven @ 15¢ per kilometer= between \$26,000 and \$27,000

Why Approve This Funding?

- ▶ Makes sense for this area
- ▶ Other grants received have had a very positive outcome
- ▶ Need more available transportation options
- ▶ No municipal funding since ~2015.
- ▶ This would be completely for the public, not for administration.
- ▶ Possibility of doing routes (ie: scheduled drives from Windsor to Halifax or Valley each morning and evening)

We can make a little bit of money go a long way. Opportunities can be endless, and we would like the chance to explore that.



Words From Our Clients...

“It made me feel more independent”

“It made me feel like less of a burden to my family”

“it’s such a convenient service for this area”

“I wouldn’t change a thing you are doing”

“You are a saviour for people like me”

“I don’t have to rely on others – you come straight to my door”

“I get nervous driving in the city – I can relax on my way to an appointment now”

Thank you.

Questions & Answers

Report back to community from the West Hants Uniacke Community Health Board – Regarding transportation needs in the Hants West Uniacke area

August 2018

During the spring of 2016 the seven Community Health Boards (CHB) in the Central Zone of the Nova Scotia Health Authority, (NSHA), formally consulted with community on health needs for the 2017 Central Zone Community Health Plan. During these consultations a recurrent theme was the lack of access to affordable, appropriate modes of transportation in the Windsor/West Hants area. Many citizens spoke of when Kings Transit was operating they had more options - i.e. could go to the valley for the day to see a movie. To shop, to see family and friends.

In the Fall of 2017 after the Spring release of the Central Zone Health Plan the West Hants Uniacke CHB began focusing on priority areas of community health identified by area residents. Access to affordable and appropriate transportation and recreation options were noted as priority areas. A sub-committee of CHB members was formed and a plan of engaging with community began. The committee decided to ask three plain language questions to anyone they spoke with about transportation:

- 1) How did you get here today?
- 2) What places do you have trouble getting to?
- 3) What type of transportation service would help you get where you want/need to go?

Starting in December 2017 formal consultations/survey work continued until May 2018. The following groups/organizations were involved:

- Seniors at the Annual Seniors Christmas Breakfast
- Family Resource Centre of West Hants – Toddler Play Group and Baby Love groups
- Students/staff at the Windsor Adult High School
- Hants Learning Network Association
- New Boundaries Society
- Hants Shore Seniors Drop In
- Housing Complex in Mount Uniacke

Members and staff engaged with a total of 159 individuals.

Key themes from these consultations were:

- People need a link from Windsor area to the Valley and to HRM.
- Aging citizens are relying on children for drives to medical appointments
- Seniors are relying on other seniors for drives – if the senior that drives falls ill/moves then that senior becomes isolated.
- Anxiety about driving in the city was felt from all age groups
- DCS funding covers very little per month

- Dial-A-Ride is a service that is well respected, loved by users but cost is a barrier to many.
- The inequity that a bus comes almost to Hantsport and people of Hantsport can walk to catch the bus but no access from Windsor.
- Medical appointments in the city including dialysis treatment is a major need.
- Having a bus link – including a central “terminal” location in Windsor would be very helpful.
- Students had particular needs – being able to stay after school for sports for middle school students was identified. Adult High School students having a link to Brooklyn area to and from Windsor was important.
- If you do not have 2 cars and you a stay at home parent you are isolated.
- Families will sacrifice other expenditures and go to free community events only just to be able to afford the second vehicle.
- A smaller type of bus is needed not a large bus unless the need is there
- Using social media would be key to getting the word out about transportation options

Also during this time frame committee members and staff met with the following individuals for input:

- Mayor of the Town of Windsor –Anna Allen
- Warden of the District of the Municipality of West Hants - Abraham Zebian
- MLA Chuck Porter
- Stephen Foster from Kings Transit

On November 6 2017 the CHB brought together Community Stakeholders to discuss transportation. This was facilitated by a health promotion student - Alyce Casey.

Attendees included: Transportation Providers in Windsor/West Hants - Dial a Ride, Windsor Seniors Citizens Bus Society, Errands by Karen, Donnie’s Taxi.

Community groups and government departments with a vested interest in transportation – Hants Learning Network Association, Hants Shore Community Health Centre, Department of Community Services, Family Resource Centre.

Please see attached gaps and needs document. Key suggestions in solving transportation barriers were:

- Having a Transportation Navigator
- Funding to expand Dial-a-Ride
- Engaging with metro transit to link to Uniacke
- A community shuttle.

It was noted by CHB members during these consultations that all transportation providers in the area knew each other and worked with each other to see who the most logical provider to serve the client is. A good solid base of transportation infrastructure is in place and a community of transportation providers who easily work with each other and support each other is evident. Expansion and linking is necessary.

Gaps and Needs

Affordability

- People are stuck – if they can't access transportation, they can't access programs to help them be more successful and to afford transportation in the future.
- Huge challenge for the working poor.
- Current options are not feasible for people to use on a regular basis.
- DCS transportation limits are too low (\$150 per person).
- There are few sources of direct funding available for medical appointments etc. but there are caps and not everybody knows about them.
- Cost of ambulance vs. alternative transportation (not cost-effective).
- Even within town area taxis are too expensive to use regularly.
- Dial-a-Ride/Taxi can use up maximum in one trip.

Isolation / No Family Support

- Communities are distinct and separated – no transportation connection.
- People who don't or can't drive anymore are cut off/isolated.
- People have to move to the city if they don't have enough transportation support for medical appointments.
- Many people rely on others for drives, but what happens when those people can't drive anymore?
- If you don't have family/friend support (with vehicles) or medical support \$\$, etc. you are isolated.

Seniors

- Aging have high medical needs.
- Seniors have to coordinate medical appointments, picking up medications, groceries, banking etc. all on one day because of transportation cost.

Medical

- Dialysis patients.
- Addictions (methadone) patients.

Recreation

- People don't even sign up for activities because they don't have a way there or have to work.

Distance travel

- Travel to Halifax or valley.
- Not enough medical services close by.
- Work in Halifax.
- No bus link.

Not enough coordination between local services!

Resources Available

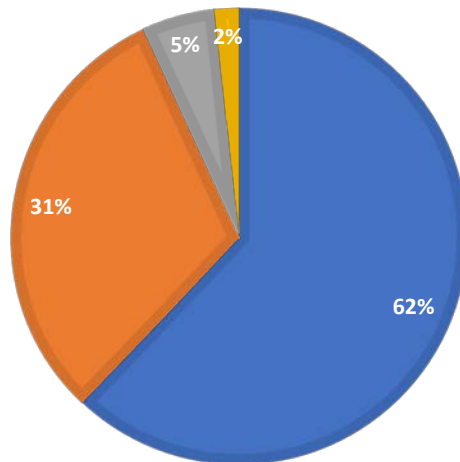
- Family Resource has small fund for transportation.
- BTO Boarding Transportation & Ostomy Program: transportation for cancer patients.
- Free ambulance transportation if medically necessary but ties up ambulances.

Suggestions

- Need community “champions” to help explain what is available, be aware of literacy challenge.
- How to educate people on programs available to support them – medical offices, rack cards, social media?
- Promote programs at seniors’ breakfast and other community events.
- Adapt existing structures.
- VON volunteer transportation.
- Funding to expand Dial-a-Ride.
- Metro transit link to Uniacke.
- “Transportation Navigator”.
- What are other rural communities doing? Municipal funding?
- Possibility for some sort of community shuttle?

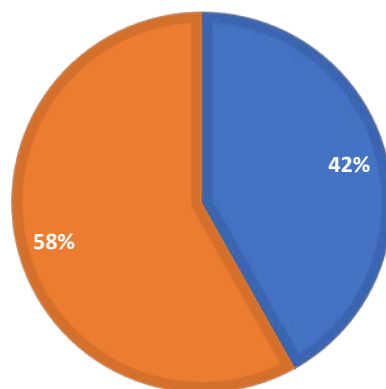
REASON FOR TRAVEL

■ Medical ■ Social ■ Food Bank/Grocery ■ Education



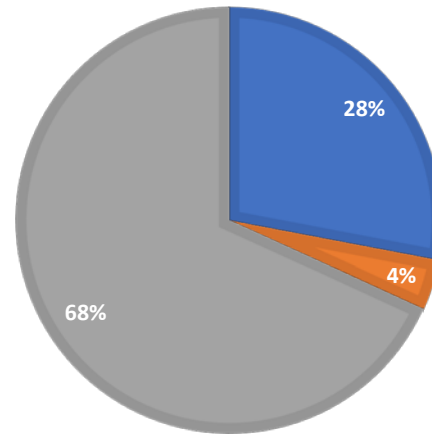
ACCESSIBILITY

■ Wheelchair ■ Able-Bodied



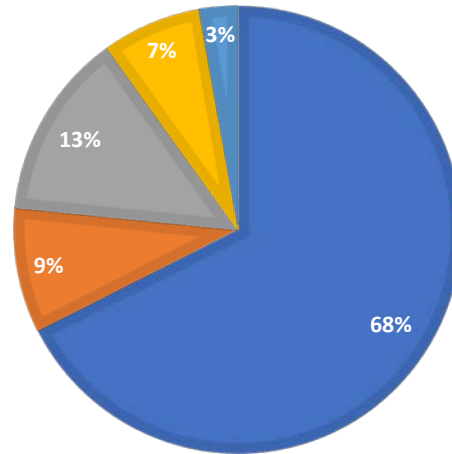
CLIENTS

■ Seniors ■ Youth ■ General



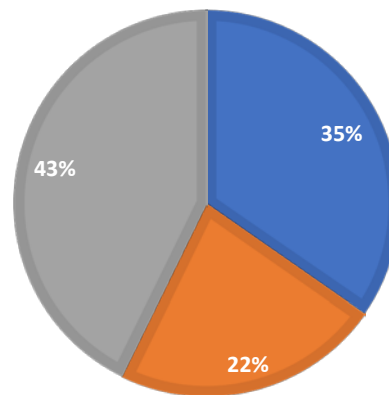
TRAVEL ORIGIN

■ Windsor ■ Falmouth ■ Brooklyn ■ Hantsport ■ Mt. Uniacke



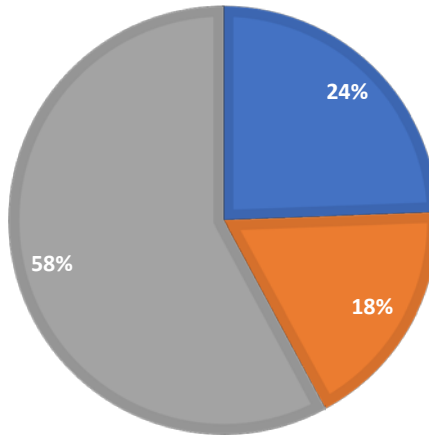
TRAVEL DESTINATION

■ Windsor ■ Valley ■ Halifax



CLIENT GROUP

■ DCS ■ Contracts ■ General



CTAP Poverty Reduction Grant

Date	From	To	Reason	Wheelchair	Total Fare	Grant Portion	Customer Paid
July 4/2018	Falmouth	Windsor	Medical	Yes	55	25	30
July 5/2018	Falmouth	Windsor	Medical	Yes	55	25	30
July 7/2018	Windsor	Windsor	Medical	No	50	25	25
July 15,22,28/18	Windsor	Grand Pre	Social/Isolation	Yes	400	200	200
July 9/18	Windsor	Falmouth	Medical	Yes	55	25	30
July 13/18	Windsor	Halifax	Medical	Yes	170	85	85
July 13/18	Brooklyn	Mount Uniacke	Medical	Yes	114	57	57
July 13/18	Windsor	Halifax	Medical	Yes	170	85	85
July 13/18	Brooklyn	Mount Uniacke	Medical	Yes	114	57	57
July 15/18	Windsor	Grand Pre	Social/Isolation	No	100	50	50
July 16/18	Windsor	Lower Sackville	Medical	No	50	25	25
July 16/18	Windsor	New Minas	Medical	No	45	23	22
July 17/18	Newport Corner	Tantallon	Medical	No	75	38	37
July 18/18	Windsor	Windsor	Medical	Yes	55	25	30
July 20/18	Windsor	Halifax	Medical	No	75	38	37
July 20/18	Windsor	Sackville	Social/Isolation	No	50	25	25
July 22/18	Windsor	Grand Pre	Social/Isolation	No	100	50	50
July 23/18	Windsor	Halifax	Medical	No	75	38	37
July 24/18	Newport Corner	Dartmouth	Medical	No	75	38	37
July 25/18	Ellershouse	Windsor	Medical	No	30	15	15
July 25/18	Windsor	Halifax	Social/Isolation	No	75	38	37
July 26/18	Ellershouse	Windsor	Medical	No	30	15	15
July 27/18	Windsor	Halifax	Medical	No	75	38	37

July 27/18	Hantsport	Bedford	Social/Isolation	No	30	15	15
July 31/18	Mount Uniacke	Halifax	Medical	No	100	50	50
							-
August 1/18	Windsor	Halifax	Medical	No	75	30	45
August 7/18	Windsor	Halifax	Medical	No	170	85	85
August 13/18	Windsor	Halifax	Medical	No	75	38	37
August 13/18	Windsor	Grand Pre	Social/Isolation	Yes	100	50	50
August 15/18	Windsor	Halifax	Medical	No	75	50	25
August 18/18	Windsor	Sackville	Food Bank/Grocery	No	50	25	25
August 19/18	Windsor	North Grand Pre	Social/Isolation	Yes	100	25	75
August 20/18	Windsor	Halifax	Medical	No	75	50	25
August 21/18	Hantsport	Halifax	Medical	No	90	38	52
August 21/18	Windsor	Windsor	Social/Isolation	Yes	55	25	30
August 21/18	Windsor	Halifax	Medical	Yes	170	85	85
August 21/18	Windsor	Windsor	Medical	Yes	55	25	30
August 24/18	Windsor	Grand Pre	Social/Isolation	Yes	100	25	75
August 26/18	Windsor	Windsor	Medical	Yes	55	25	30
August 27/18	Windsor	Tantallon	Medical	No	75	25	50
August 27/18	Windsor	New Minas	Medical	No	45	23	22
August 28/18	Brooklyn	Walton	Social/Isolation	No	50	25	25
August 28/18	Windsor	Windsor	Medical	Yes	55	25	30
August 28/18	Windsor	Windsor	Food Bank/Grocery	No	14.95		15
August 28/18	Windsor	Windsor	Medical	Yes	55	25	30
August 29/18	Windsor	Halifax	Social/Isolation	No	75	38	37
August 29/18	Windsor	Halifax	Medical	No	85	42	43
August 30/18	Windsor	Middleton	Medical	No	75	38	37
August 30/18	Windsor	Halifax	Social/Isolation	Yes	75	28	47
August 31/18	Hantsport	Hantsport	Medical	Yes	55	25	30
August 31/18	Windsor	Windsor	Social/Isolation	No	30	15	15

September 1/18	Windsor	Grand Pre	Social/Isolation	Yes	100	50	50
September 4/18	Windsor	Halifax	Social/Isolation	No	75	38	38
September 4/18	Windsor	Sackville	Social/Isolation	No	45	23	23
September 4/18	Windsor	Windsor	Education	No	49.45	-	49
September 5/18	Windsor	Middleton	Medical	Yes	250	125	125
September 5/18	Ellershouse	Windsor	Medical	No	30	15	15
September 6/18	Brooklyn	Halifax	Medical	No	75	38	38
September 6/18	Windsor	New Minas	Medical	Yes	115	58	58
September 6/18	Hantsport	Halifax	Medical	No	100	50	50
September 6/18	Brooklyn	Brooklyn	Social/Isolation	Yes	75	-	75
September 7/18	Windsor	Windsor	Social/Isolation	Yes	55	25	30
September 7/18	Brooklyn	Truro	Social/Isolation	No	100	50	50
September 7/18	Brooklyn	Windsor	Medical	No	40	20	20
September 7/18	Falmouth	Windsor	Social/Isolation	Yes	84	42	42
September 7/18	Falmouth	Windsor	Social/Isolation	Yes	55	25	30
September 10/18	Windsor	Halifax	Medical	No	124.74		125
September 10/18	Windsor	Halifax	Medical	Yes	170	85	85
September 10/18	Windsor	Halifax	Medical	Yes	170	85	85
September 10/18	Windsor	New Minas	Medical	No	45	23	23
September 11/18	Falmouth	Windsor	Social/Isolation	Yes	55	25	30
September 11/18	Windsor	New Minas	Medical	Yes	115	58	58
September 12/18	Falmouth	Windsor	Medical	Yes	55	22	33
September 14/18	Windsor	New Minas	Medical	No	45	23	23
September 14/18	Windsor	Windsor	Food Bank/Grocery	No	14.95	-	15
September 18/18	Windsor	New Minas	Medical	Yes	170	85	85
September 18/18	Hantsport	Halifax	Medical	No	90	45	45
September 19/18	Ellershouse	Windsor	Medical	No	30	15	15
September 19/18	Hantsport	Windsor	Social/Isolation	No	56.92	-	57

September 20/18	Windsor	Sackville	Social/Isolation	No	50	25	25
September 21/18	Brooklyn	Halifax	Medical	No	75	38	37
September 21/18	Hantsport	Windsor	Food Bank/Grocery	No	30	15	15
September 21/18	Falmouth	Windsor	Social/Isolation	Yes	55	25	30
September 24/18	Scotch Village	Halifax	Medical	No	75	38	37
September 24/18	Windsor	Windsor	Medical	Yes	55	25	30
September 24/18	Windsor	Windsor	Food Bank/Grocery	Yes	55	25	30
September 25/18	Windsor	Sackville	Medical	No	50	25	25
September 25/18	Hantsport	Windsor	Social/Isolation	No	30	15	15
September 25/18	Windsor	Tantallon	Medical	No	75	37	38
September 25/18	Mount Uniacke	Halifax	Medical	No	75	37	38
September 26/18	Windsor	Halifax	Social/Isolation	No	75	38	38
September 27/18	Falmouth	New Minas	Medical	Yes	115	58	58
September 27/18	Brooklyn	Mount Uniacke	Medical	Yes	116	58	58
September 27/18	Hantsport	Wolfville	Medical	No	36	18	18
September 27/18	Ellershouse	Windsor	Medical	No	30	15	15
September 28/18	Brooklyn	Brooklyn	Social/Isolation	Yes	75	-	75
September 28/18	Windsor	Halifax	Medical	No	75	38	37

Building Vibrant Communities Grant - \$5,000

DATE	REASON FOR TRIP	TOTAL	GRANT
APRIL 9 2018	SKI MARTOCK	\$ 20.00	\$ 20.00
APRIL 9/2018	DRIVE HOME WITH CHILD	\$ 7.47	\$ 7.47
APRIL 9/2018	\$ NOT PD BY DCS	\$ 135.00	\$ 135.00
APRIL 9/2018	MEDICAL	\$ 170.00	\$ 170.00
APRIL 9/2018	CS DECEASED	\$ 115.00	\$ 115.00
APRIL 9/2018	OVG FOR CS NOT PD BY DCS	\$ 176.19	\$ 176.19
APRIL 9/2018	OVG NOT PD BY DCS FOR MEDICAL	\$ 46.71	\$ 46.71
APRIL 9/2018	CS UNABLE TO PAY	\$ 55.00	\$ 55.00
APRIL 6/2018	QE2 HALIFAX MEDICAL	\$ 170.00	\$ 170.00
APRIL 10/2018	HALIFAX INFIRMARY	\$ 100.00	\$ 100.00
APRIL 11/2018	WALTON CEMETERY	\$ 50.00	\$ 50.00
APRIL 12/2018	HALIFAX MED APPT	\$ 75.00	\$ 75.00
APRIL 13/2018	HALIFX VG MEDICAL	\$ 75.00	\$ 75.00
APRIL 16/2018	WINDSOR	\$ 55.00	\$ 55.00
APRIL 15/2018	WINDSOR MEDICAL	\$ 100.00	\$ 100.00
APRIL 16/2018	HALIFAX MEDICAL	\$ 170.00	\$ 170.00
APRIL 16/2018	FALMOUTH SCHOOL	\$ 45.05	\$ 45.05
APRIL 17/2018	DENTIST FALMOUTH	\$ 55.00	\$ 55.00
APRIL 17/2018	FALMOUTH SCHOOL	\$ 52.47	\$ 52.47
APRIL 27/2018	MUDCREEK WOLFVILLE	\$ 61.88	\$ 61.88
APRIL 29/2018	HALIFAX CHURCH	\$ 170.00	\$ 170.00
	TOTAL	\$ 1,904.77	\$ 1,904.77

Building Vibrant Communities Grant - \$5,000

DATE	REASON FOR TRIP	TOTAL	GRANT
MAY 8/2018	HANTSPORT BANK APPT	\$ 30.69	\$ 30.69
MAY 14/2018	WINDOSR DOCTOR	\$ 75.00	\$ 75.00
MAY 25/2018	NEW ROSS FARMS	\$ 113.85	\$ 113.85
MAY 26/2018	BROOKLYN CHURCH	\$ 40.00	\$ 40.00

MAY 29/2018	HALIFAX MEDICAL	\$	109.39	\$	109.39
MAY 30/2018	HALIFAX MEDICAL	\$	75.00	\$	75.00
MAY 30/2018	WINDSOR MEDICAL	\$	30.00	\$	30.00
	TOTAL	\$	473.93	\$	473.93

Building Vibrant Communities Grant - \$5,000

DATE	REASON FOR TRIP	TOTAL	GRANT	CS PAID	INVOICED
JUNE 3/2018	BURLINGTON HALL	\$75.00	\$75.00		
JUNE 10/2018	BROOKLYN CHURCH	\$75.00	\$75.00		
JUNE 19/2018	COBEQUID CTR MEDICAL	\$170.00	\$170.00		
JUNE 17/2018	NORTH GRAND PRE	\$100.00	\$50.00	\$50.00	
JUNE 24/2018	NORTH GRAND PRE	\$100.00	\$50.00	\$50.00	
JUNE 6/2018	WINDSOR FUNERAL	\$55.00	\$30.00	\$25.00	
JUNE 7/2018	LUNENBURG FUNERAL	\$250.00	\$125.00	\$125.00	
JUNE 8/2018	KENTVILLE APPOINTMENT	\$62.37	\$62.37		
JUNE 12/2018	WINDSOR DENTIST	\$55.00	\$30.00	\$25.00	
JUNE 10/2018	WINDSOR APPOINTMENT	\$55.00	\$30.00	\$25.00	
JUNE 19/2018	WINDSOR HOSPITAL	\$55.00	\$30.00	\$25.00	
JUNE 15/2018	HINCHIN BROOK FARM	\$109.39	\$109.39		
JUNE 21/2018	MIDDLETON FUNERAL	\$250.00	\$125.00		\$ 125.00
JUNE 26/2018	HALIFAX MEDICAL	\$170.00	\$85.00	\$85.00	
JUNE 27/2018	WINDSOR DENTIST	\$55.00	\$30.00	\$25.00	
JUNE 27/2018	HALIFAX FORUM	\$150.00	\$75.00	\$75.00	
JUNE 29/2018	WINDSOR GROCERIES	\$55.00	\$55.00		
JUNE 30/2018	NORTH GRAND PRE	\$100.00	\$50.00	\$50.00	
JUNE 3/2018	HALIFAX MEDICAL	\$97.51	\$97.51		
JUNE 28/2018	HALIFAX MEDICAL	\$112.36	\$112.36		
JUNE 12/2018	COBEQUID CTR MEDICAL	\$170.00	\$85.00	\$85.00	
JUNE 22/2018	SOBEYS WINDOSR	\$55.00	\$30.00	\$25.00	
JUNE 29/2018	RIB FEST HALIFAX	\$170.00	\$85.00		\$ 85.00
JUNE 23/2018	HANTSPORT	\$75.00	\$37.50		\$ 37.50
	TOTAL	2621.63	\$ 1,704.13	\$670.00	\$ 247.50

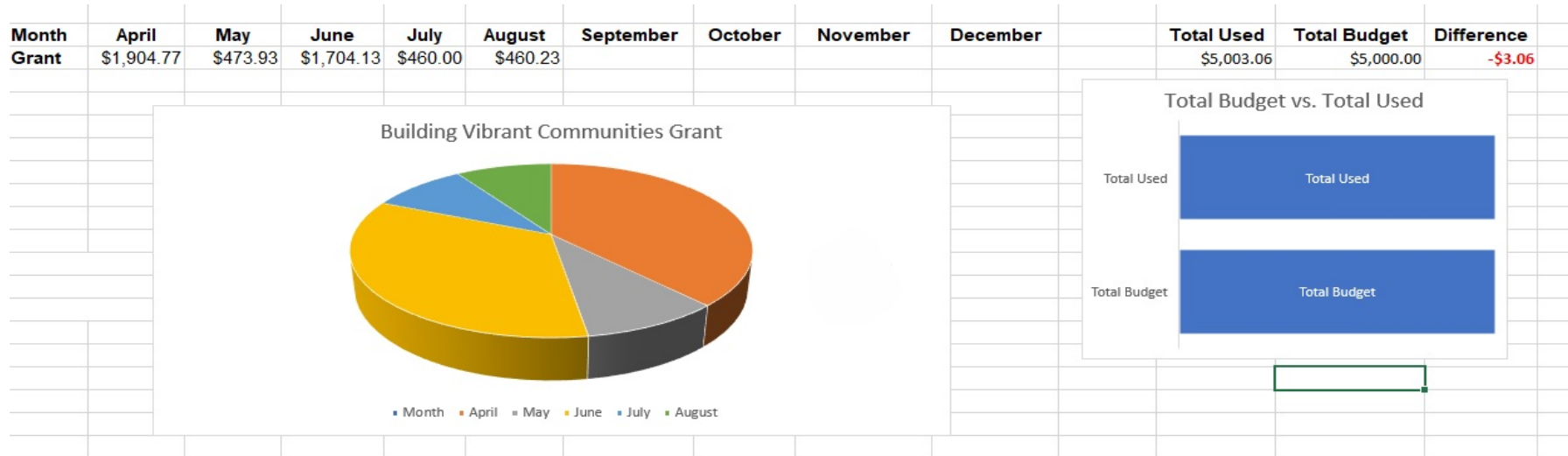
Building Vibrant Communities Grant - \$5,000

DATE	REASON FOR TRIP	TOTAL	GRANT	CS PAID
JULY 4/2018	WINDSOR DOCTOR	\$55.00	\$30.00	\$25.00
JULY 5/2018	OUTING	\$55.00	\$30.00	\$25.00
JULY 9/2018	DENTIST	\$55.00	\$30.00	\$25.00
JULY 16/2018	MEDICAL	\$50.00	\$25.00	\$25.00
JULY 16/2018	DOCTOR	\$45.00	\$22.50	\$22.50
JULY 17/2018	DOCTOR	\$75.00	\$37.50	\$37.50
JULY 18/2018	MEDICAL	\$55.00	\$30.00	\$25.00
JULY 20/2018	MEDICAL	\$75.00	\$37.50	\$37.50
JULY 20/2018	ERRANDS	\$50.00	\$25.00	\$25.00
JULY 23/2018	MEDICAL	\$75.00	\$37.50	\$37.50
JULY 24/2018	MEDICAL	\$75.00	\$37.50	\$37.50
JULY 25/2018	MEDICAL	\$30.00	\$15.00	\$15.00
JULY 25/2018	VISITATION	\$75.00	\$37.50	\$37.50
JULY 26/2018	MEDICAL	\$30.00	\$15.00	\$15.00
JULY 28/2018	OUTING	\$100.00	\$50.00	\$50.00
	TOTAL	\$900.00	\$460.00	\$440.00

Building Vibrant Communities Grant - \$5,000

DATE	REASON FOR TRIP	TOTAL	GRANT	CS PAID
AUGUST 1/2018	MEDICAL	\$55.00	\$30.00	\$25.00
AUGUST 2/2018	SOCIAL	\$55.00	\$30.00	\$25.00
AUGUST 2/2018	MEDICAL	\$50.00	\$25.00	\$25.00
AUGUST 4/2018	SOCIAL	\$55.00	\$27.50	\$27.50
AUGUST 5/2018	SOCIAL	\$100.00	\$50.00	\$50.00
AUGUST 7/2018	SOCIAL	\$55.00	\$30.00	\$25.00
AUGUST 8/2018	MEDICAL	\$45.00	\$22.50	\$22.50

AUGUST 9/2018 MEDICAL	\$75.00	\$37.50	\$37.50
AUGUST 9/2018 MEDICAL	\$45.00	\$22.50	\$22.50
AUGUST 10/2018 MEDICAL	\$45.00	\$22.50	\$22.50
AUGUST 11/2018 MEDICAL	\$32.17	\$32.17	\$0.00
AUGUST 14/2018 MEDICAL	\$75.00	\$37.50	\$37.50
AUGUST 15/2018 MEDICAL	\$59.40	\$59.40	\$0.00
AUGUST 17/2018 FOOD BANK	\$33.66	\$33.66	\$0.00
TOTAL	\$780.23	\$460.23	\$320.00



APPENDIX B
Table 2: Possible Funding

Funding Source	Description	Eligibility	Funding %
FEDERAL			
Public Transit Infrastructure Fund Building Strong Cities Through Investments in Public Transit	The Public Transit Infrastructure Fund (PTIF) will provide short-term funding of \$3.4 billion to help accelerate municipal investments to support the rehabilitation of transit systems, new capital projects, and planning and studies for future transit expansion to foster long-term transit plans.	Gets funneled through to Municipalities from the Province based on ridership numbers Municipalities need to have an existing transit service to be eligible	N/A
PROVINCIAL			
Nova Scotia Transit Research Incentive	The Nova Scotia Transit Research Incentive Program (NS-TRIP) provides funding for transit projects that generate new and improved public transit services in rural areas and underserved urban areas of the province. Projects must be directly related to enhancing the service capacity of new or	Yes, for underserved areas of the Municipality only	Projects can be door-to-door and fixed or flex route transit services Phase 1: Feasibility Study/ Needs Assessment - 100% of total study up to \$15,000 Phase 2: Business Plan Development - 75% of total

	existing public transit organizations in Nova Scotia. The program provides cost sharing at various funding levels depending on the scope of the project. Please see program criteria for details. Funding is available for only one project per year per organization.	project up to \$15,000 Phase 3: Pre-Pilot Implementation - 75% of total project up to \$25,000 Phase 4: Pilot Project - 75% of total project up to \$50,000 Phase 5: Service Start-up - 50% of total operating costs net of CTAP funding up to \$25,000	
Community Transportation Assistance Program	The Community Transportation Assistance Program (CTAP) covers a portion of the operating costs of a community-based inclusive transportation service. Services are developed and provided by non-profit organizations through partnerships by coordinating public, private, non-profit, and volunteer resources and services. Inclusive transportation services are community-based public transportation systems in rural Nova Scotia	No, only non-profit community-based organizations (incorporated groups) involved in the delivery of inclusive transportation services in low-population density areas of the province	Covers a portion (not specified) of the operating costs

	aimed at improving transportation service to disabled, elderly and low-income Nova Scotians who need transportation to and from medical appointments, education, and recreation opportunities.		
Accessible Transportation Assistance Program	The Accessible Transportation Assistance Program (ATAP) provides funding to assist organizations that receive funding from the Community Transportation Assistance Program (CTAP) and municipal accessible transit organizations across the province in the purchase of accessible vehicles or modification of existing vehicles.	No as the Municipality is not eligible to receive funding from the Community Transportation Assistance Program (CTAP)	66% of the total capital cost to a maximum of \$70,000 for new or \$15,000 for used vehicles
Community ACCESS-Ability Program	The Community ACCESS-Ability Program reflects the Government of Nova Scotia's commitment to persons with disabilities by providing equal opportunity and improved access to community facilities. This program offers cost-shared	Yes	May be able to cover 2/3 of an upgrade for a bus ramp (would have to contact them directly to find out) 66% up to \$10,000

	grants to community groups for accessibility related capital improvements.	
Community Transportation Action Plan Strengthening Communities Through Transportation	In collaboration with partners and stakeholders we will support local community transportation services in areas that are unserved or underserved. This work will make it easier for Nova Scotians to access services, jobs, and schools in their communities, and travel between communities and to Halifax. Together, through community-based planning, we can ensure Nova Scotians are connected to services, to opportunities, and to each other.	Not stated – email connect@communitytransitns.ca for more information

West Hants Regional Municipality
February 8, 2021
Chief Administrative Officer Report



The following report captures activities and events between January 12, 2021 and the date of the report.

Governance

- COTW and Council meetings continue to meet during Covid. A hybrid model allowing approximately ½ of Council to attend in-person while the balance of Council attends virtually has been adopted to ensure Covid restrictions are adhered to. The Council environment will adjust pending changes from the Province.
- January Council Meeting
- Strategic Planning Sessions – Two (2) separate strategic Planning Sessions were held with Council and Senior Staff. Ten (10) priorities resulted from the meetings:

Tax Structure	Public Communications	Municipal Service Review
Rural Internet	Rural Transportation	Active Transportation
Industrial Lands Readiness	Signage	Infrastructure Plan
Trails		

Administration

- Cogmagun Land(s) Purchase Process Update – we are approaching what we hope are the final stages of survey work associated with the purchase of Crown Lands by the municipality. A more thorough update will be provided to Council during an in-camera session.
- Hantsport Municipal Complex – the final decommissioning is planned. The consolidation of the two lots, 20 and 22 Main Street, is underway and the rezoning process is maneuvering through the planning process.
- The Municipal Complexes – Appraisals are being carried out for the King Street and Morison Drive buildings to support future discussions about municipal properties.
- Community Branding Team Meeting – The Community Branding Team has met and provided with support materials to assist with the process. Tim Carr, Community Representative (School Street Studio Glass) has been appointed Chair and Melissa Velden, Community Representative (Flying Apron Restaurant) has been appointed Vice

Chair. The RFP for consulting and design has closed and a smaller working group within the Branding Team is reviewing the proposals.

Finance

- Audit Committee 2020/21 Operating Budget Projections – Director Rochon reported to the Audit Committee on the status of the 2020/21 Operating Budget. The projections provided are limited as of the nine-month mark of the fiscal year. The overall projected surplus based on the variance analysis for the general fund is \$600,434.
- Municipal Tax Model Workshop – Council and senior staff are participating in tax modeling workshops to explore the present model as well as other models used for regional municipalities.

Community Development

- Hants Agriculture Society AGM – I attended the virtual AGM for the society. The membership and board are maneuvering through Covid restrictions as best they can. They continue to reflect on their strategic priorities and continued development and activities on the property.
- West Hants Sports Complex Sponsorship / Advertising

Zamboni	\$2500	\$2500
Scoreboard corners	\$1000	\$1000
King Dasher Board	\$1400 x 2	\$2800
High Profile Board	\$800 x 4	\$3200
Hydration Stations	\$200 x 5	\$1000
Dressing Room Door Exterior	\$500 x 3	\$1500
Field House Wall	\$800	\$800
Rink Wall signage	\$700	\$700

Total: \$13,500 per annum (all 3 year commitments)

- Hantsport Foodbank - progress continues with the relocation of the Hantsport Foodbank. The work is being carried out in-house between Public Works and members of the Hantsport Foodbank.
- Community Consultation Project – A special COTW meeting is being held on February 17th to review the final report with Council.
- Cheverie Land Exchange – Bekah Craik, Active Living Coordinator has met with a property owner adjacent to the Municipality's Cheverie Salt Marsh Restoration Trail to discuss a potential land exchange that would benefit the property owner and the

municipality mutually. A report was expected at the February COTW meeting for Council's consideration. The report is now anticipated for March COTW.

Planning and Development

- Meadows Development – I participated in the virtual Public Information Meeting (PIM) held to share with the public the next planned phases of the development.
- Rezoning of 20 and 22 Main Street – The rezoning application process continues to move through the planning process.
- Municipal Climate Change Action Plan – The action plan was adopted by Council and resources will be included in the 2021/22 Operating Budget to support the program pending Council's budget deliberations.

Economic Development

- BioVectra Tour and Meeting – I had the opportunity to tour the facility and meet with GM, Shawn DeLong. In addition to their operation we did discussed what additional supports the municipality could provide to their staff. Follow up meetings have taken place with the Community Development Department as well as a tour of the Sports Complex.
- Windsor Township Business Association Beautification Project – The WTBA has focused their priorities on lighting projects on the waterfront, business district entrance signs and way-finding signage for key destinations. The projects are currently being carried out.
- Internet for Nova Scotia Initiative – My last update from Develop Nova Scotia included a confirmation that 99% of properties in our region would be receiving internet services as part of the extended Phase Two (2) Program. The level of detail we continue to request has not been provided by the service provider or DNS. Updated maps are provided on the DNS website but not at the level we desire. When we receive the requested details, it will be forwarded to Council.
- Develop Nova Scotia Place Making Pilot Project – The Windsor Community has been identified as a potential pilot project for a Place Making Project. Initial discussions have taken place with the WTBA and a project on the waterfront is being explored.
- Mobile Canteen / Sidewalk Cafes / Temporary Vending Bylaw – The noted items have recently been reviewed by staff with feedback from the WTBA. A report has been prepared for Council's review.

Public Works and Infrastructure

Protective Services

- Regional Fire Sub Committees and Fire Chiefs Meeting- meetings continue to be conducted to address the recommendations from the Regional Fire Study. There's full participation by all departments and its members regarding issues such as apparatus

selection, training and equipment standards. All departments will be entering into budget discussion in February and March with Director Rochon.

- Police Advisory Board Meeting – A meeting of the PAB was held. Agenda items included; Chair and Vice Chair appointment, MPSA and Police Act review, Police related associations overview, Detachment Overview and Financial Reports.
- RCMP Contract Management Committee (CMC) Meetings – As Nova Scotia's Municipal Representative I participated in a series of meetings associated with National RCMP related matters impacting current and future service delivery as well as outstanding contract negotiations.
- REMO Meetings – Covid meetings occur bi-weekly on Wednesday mornings with the following stakeholders and representatives; Incident Commander, REMO Coordinator, Nova Scotia EMO, Finance, Community Development, Planning, Public Works, NSTIR, Fire, RCMP, IT, Department of Community Services, Hants Community Hospital, Glooscap 1st Nations, Communications, Safety and Logistics. The meetings last approximately 20 to 25 minutes and allow all reps to stay connect and current.

Sincerely,

Mark Phillips

Mark Phillips
Chief Administrative Officer
West Hants Regional Municipality

Feb. 2021 com.



**Royal Canadian Legion
Hants County Branch No 009**

35 Empire Lane
P.O. Box 28
Windsor, Nova Scotia
B0N 2T0
Ph: 902-798-2031

February 2, 2021

Greetings Mayor Zebian,

As you may be aware, our Hants Co Br 09 of the Royal Canadian Legion is facing a large financial setback of approx. \$100,000.00 or more. I have talked to several local area contractors and this is the preliminary estimate cost for the necessary replacement of our main water sprinkler line to our building. I currently have two quote/estimates and waiting for a couple more. It is entirely our Branch responsibility to maintain our sprinkler system in good working order for fire protection and insurance on our building, as well as keep our building accessible for the public as an emergency comfort station. We have spent just under \$10,000.00 towards the last 4 repairs in the last 2 years.

The main water supply for our building water fire sprinkler system is a dedicated water line, approx. 275 meters of 15 cm (6 inch) ductile steel pipe that has been repaired 6 times over the last couple years due to leakages caused by corrosion of the pipe. This water line runs on the Windsor Mall property, from the Wentworth Road main water line, along Empire lane, then behind the Money Mart and on into the Branch to the sprinkler tree. The oldest record of inspection of the sprinkler tree is 1995 so we assume that the water lines are at least 25-26 years old.

The cost for us to replace the water line and remediate the ground back to normal after each break will only get more expensive as time goes by. The last repair January 07, 2021 cost \$3800.00 and the ground was not frozen yet. Weather conditions from heavy rain, snow or frozen ground and any unknown complications will also drive up the price when we do have a water break and /or replacement. To prevent future random and possibly higher frequent repair costs, construction should begin as soon as permission to dig is granted by the property owner, contractor selection, pipe and material can be gathered, good weather is forecasted and contractor availability.

This is a big project and expense for us. The members here at Hants Co Branch 09 work hard to provide support for local veterans, their families, and our community. We did not anticipate that we would have to replace our sprinkler system water line so soon and at this high cost. The current Covid-19 conditions and the unknown, this great expense causes us concern for our future financial stability.

Any consideration and support from the Windsor West Hants Municipality, Province or Federal Governments would be greatly appreciated.

Darrell C Leighton
President
Hants Co Br 09
RCL
Cell 902 921 3959



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: **Committee of the Whole Members of West Hants Regional Municipality**

Submitted by: **Abraham Zebian, Mayor**

Date: February 9, 2021

Subject: December Committee of the Whole and Council Meetings and length of all Committee of the Whole and Council meetings.

LEGISLATIVE AUTHORITY

Municipal Government Act (MGA)

Section 19- Council Meetings

Section 23- Council may make policies respecting meetings.

West Hants Regional Municipality Policy RCOGE-003.00 Meeting and Committee Procedural Policy

Sections 3.2 and 3.3- Time, Place, Date and Notice of Meetings

RECOMMENDATION or DECISION REQUEST

...that Council recommends amending Policy RCOGE-003.00 Meeting and Committee Procedural Policy, Sections 3.2(b) and 3.3(b) by removing the month of December.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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The former Municipality of the District of West Hants and Town of Windsor both had individual policies respecting the date, time, and frequency of meetings.

The former West Hants Council held Council meetings on the second Tuesday of a month and Committee of the Whole on the fourth Tuesday. The former Municipality of West Hants, by policy, took the July Committee of the Whole, August Council, and December Committee of the Whole meetings off.

The former Town of Windsor held Committee of the Whole the second Tuesday of a month and Council the fourth Tuesday of a month and they took August off.

DISCUSSION

As per the Municipal Government Act (MGA), Councils can hold other such meetings as may be necessary. Further, Council may make policies respecting the date, hour, and place of the meetings of Council and that notice be given for them. As well, Council may make policies with respect to committees.

The new structure of the Regional Municipality's Committee of the Whole, meeting the second Tuesday of a month and Council meeting the fourth Tuesday, provides opportunity for Council to ratify matters following a Committee of the Whole meeting, including at December meetings leading up to the Christmas holidays.

In certain years, depending on how days/dates fall in December, this may result in meetings having to be bumped a week earlier or back-to-back (for example, instead of the second and third Tuesdays, it may end up being the first and second, first and third, or second and third).

As the Municipality just experienced, not having December meetings created very busy agendas for both the January Committee of the Whole and Council meetings, with meetings lasting past midnight. To continue to support effective business of Council and community matters, it is suggested December meetings occur.

NEXT STEPS

Should this recommendation move forward, staff would proceed to amend the Policy and bring it to a future Council meeting for approval.

FINANCIAL IMPLICATIONS

There are no financial implications with the proposed recommendation.

ALTERNATIVES

Council could choose to not support the recommendation leaving the existing policy as-is.

Council may choose to further amend the policy meeting dates/ times with other alternatives.

ATTACHMENTS

None; however, Section 3 of the Policy is referenced below.

Section 3 of Policy RCOGE-003.00 Meeting and Committee Procedural Policy.

3. Time, Place, Date and Notice of Meetings

- 3.1. All meetings of Council and Committees of Council will be public meetings, except as provided for under Sections 22 (2) and 203(1) of the Act and Section 14 of this Policy.
- 3.2. Unless otherwise specified pursuant to Section 3.5 of this Policy a regular meeting of the Committee of the Whole will be held:
 - a) at the location set by the Committee of the Whole,
 - b) on the second Tuesday of each month, except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.3. Unless otherwise specified pursuant to Section 3.5 of this Policy, a regular meeting of Council will be held:
 - a) at the location set by Council,
 - b) on the fourth Tuesday of each month except for August and December,
 - c) commencing at 6:00 p.m. unless otherwise directed by Council.
- 3.4. Unless otherwise specified pursuant to Section 3.5 of this Policy, regular meetings of other Committees of Council will be determined in the Administrative Terms of Reference for the Committee.
- 3.5. Meetings may be rescheduled, relocated or cancelled:
 - a) by resolution or consensus, including a contingent resolution or consensus of Council or a Committee of Council at a previous meeting three (3) or more business days in advance of the meeting;
 - b) at the request of majority of the members of Council or Committee of Council;
 - c) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to inclement weather or unforeseen circumstances provided the Mayor, Deputy Mayor, or Chair believes the majority of members would support such a step.
- 3.6. Additional or special meetings of Council or a Committee of Council may be convened:
 - a) by resolution or consensus, including contingent resolution or consensus of Council or Committee of Council at a meeting three (3) or more business days in advance of the additional or special meeting;

- b) at the request of the Chair;
- c) at the request of the majority of members;
- d) by the CAO or designate on behalf of the Mayor, Deputy Mayor or Chair, due to unforeseen circumstances, provided the Mayor, Deputy Mayor or Chair believes that the majority of members would support such a step; or
- e) where the Mayor determines there is an emergency, Council may meet without notice or with such notice as is possible in the circumstances.

3.7. Notice to Councillors and the Public of meetings:

- a) subject to any statutory relaxation of the notice requirements, at least three (3) business days' notice to Councillors will be provided for additional or special meetings by telephone, the email address provided by the Municipality or other email address, fax number or messaging service;
- b) subject to any statutory relaxation of the notice requirements, at least two (2) business days' notice to the public will be provided for additional or special meetings by posting a notice of the meeting on the Municipal website and social media pages;
- c) Councillors and the public will be deemed to have received any notice within one (1) day of being notified pursuant to this section;
- d) meeting notice need not be provided of:
 - i. regular meetings held pursuant to Sections 3.2 and 3.3 of this policy;
 - ii. regular meetings of a Committee of Council whose regular meeting date is contained in a policy or by-law of Council or posted on the Municipal website; or
 - iii. meetings held pursuant to Sections 3.5 (a) and Section 3.6 (a) of this Policy;
- e. notice of meeting cancellations will be provided to Council and the public as soon as possible in the same manner;

3.8. In accordance with Section 19 (7)(a)(b) of the Act no meeting of Council or Committee of Council is illegal or invalid by failure to give notice or by meeting elsewhere than provided in this Policy or the notice of meeting.

3.9 Within thirty (30) days following the first meeting of Council after an election or by-election each Councillor will provide the Clerk the following:

- a) a telephone number with answering machine/voicemail which the Councillor has and will maintain and will check at least once per day;

- b) the unique email address provided by the Municipality, where all municipal notices and correspondence will be forwarded and which the Councillor will check at least once per day;
- c) any other email address, fax number, or messaging service which the Councillor has and will maintain and will check at least once per day.

CHIEF ADMINISTRATIVE OFFICER REVIEW

I support the points raised in the report as well as the recommendation.

Report Prepared by: Abraham Zebian, Mayor

Report Reviewed by:


Mark Phillips, CAO

Report Reviewed by:


Shelleena Thornton, Administrative Supervisor



MCCAP Term Position

February 9, 2021

Background

- ▶ The West Hants Regional Municipality is in the Partners for Climate Protection (PCP) program.
- ▶ The PCP program is a series of milestones that enable the Municipality to reduce GHG emissions by:
 - ▶ understanding existing emissions;
 - ▶ setting reduction targets; and
 - ▶ developing and implementing a local action plan.

Background cont.

- ▶ The former Municipality of the District of West Hants joined the program in 2018 and started work on Milestone 1 to produce a GHG inventory for corporate and community emissions.
- ▶ West Hants received \$60,000 from the Low Carbon Communities Program and \$8,400 from the Labour and Advanced Education Co-op Program to hire WSP Canada Inc. and two (2) students to complete Milestone 1.

Background cont.

- ▶ Although the Municipality was awarded the funding for the students in March 2019, the Municipality was not able to hire for the Sustainability Planner positions until May 6th as Council did not approve the budget for 2019-2020 until April 23.

Background cont.

- ▶ For the 2020-2021 budget Council approved \$6,000 to cover the salary of a student for 10-weeks to complete Milestone 1
- ▶ The Town of Windsor data was not available until consolidation on April 1, 2020.
- ▶ Council approved the budget for student on June 3, 2020.

Background cont.

- ▶ Most students in university programs were hired by this date
- ▶ Staff were able to hire Casey Parker, one of the previous students from 2019, to complete this work on a part-time basis as she already had full-time summer employment.

Background cont.

- ▶ The MCCAP Committee intends to proceed with Milestones 2 and 3 in 2021 which involves Council setting GHG reduction targets and creating a local action plan.
- ▶ The MCCAP Committee requests \$10,000 for the 2021-2022 budget to hire a student to assist with this project.
- ▶ Staff request that Council consider approving this budget request before Council approves its operating budget

Discussion

- ▶ Staff have found it difficult to attract a wide range of candidates to complete the GHG emissions projects.
- ▶ The winter university term typically concludes in late March or early April.
- ▶ In programs that require a co-op placement, students start applying for positions in February and aim to have a position secured by April.
- ▶ This is to ensure they are able to meet their program requirements and be employed for the required amount of time (typically 15 to 16-weeks).

Discussion cont.

- ▶ The Career Services department at Dalhousie University has been interested in our previous positions for Masters of Planning program students.
- ▶ The Municipality interviewed some excellent candidates from this program and provided conditional offers to two (2) students in 2019 pending Council's budget decision.
- ▶ Both students initially accepted the offers but unfortunately were hired by other employers before they could start working in West Hants as those employers could guarantee their employment before the West Hants Council approved its budget.

Discussion cont.

- ▶ Staff sent a proposed Sustainability Planner job description to the Career Services department at Dalhousie University in early 2020 to receive their initial approval for one (1) position.
- ▶ The department mistakenly sent the job description to their students in February 2020 before the Municipality was ready to hire.
- ▶ The job posting received 16 applications.

Discussion cont.

- ▶ In comparison, when the Municipality offered two (2) Sustainability Planner positions in 2019 staff only received two (2) applications for the initial posting in March and five (5) applications for the second posting at the end of April only after staff expanded the search to other programs at Dalhousie University.

Discussion cont.

- ▶ Previous student positions have been partially covered by the Nova Scotia Department of Labour and Advanced Education Co-op Incentive which can cover half of the salary for a student completing a co-op program.
- ▶ However, hiring a co-op student with specific time requirements can be challenging if the student cannot be hired before Council approves its budget.

Discussion cont.

- ▶ Clean Foundation operates a summer internship program which covers up to 60% of the wages for a 15-week internship.
- ▶ Intern positions are posted in March and the student must be hired by the end of April as Clean Foundation offers an intern conference for their students in May.
- ▶ We have received tentative approval for this funding from Clean Foundation and would only be able to accept the funding if Council pre-approves the budget for the term position.

Recommendation

Should COTW wish to approve the Sustainability Planner (student term position) prior to overall budget considerations, the following motion would be in order:

COTW recommends that Council approves the 2021-2022 MCCAP budget request of \$10,000 to ensure the Municipality can hire an individual for the Sustainability Planner position when the most relevant candidates are available and funding opportunities are maximized.



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation X ☒	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of West Hants Regional Municipality Council.

Submitted by: _____
Saira Shah, Planner

Date: 2020-02-09

Subject: MCCAP Term Position

LEGISLATIVE AUTHORITY

MGA Section 65A (1) *the municipality may only spend money for municipal purposes if (a) the expenditure is included in the municipality's operating budget or capital budget or is otherwise authorized by the municipality;*

RECOMMENDATION

Should Council wish to approve the Sustainability Planner (student term position) prior to overall budget considerations, the following motion would be in order:

that Council approves the 2021-2022 MCCAP budget request of \$10,000 to ensure the Municipality can hire an individual for the Sustainability Planner position when the most relevant candidates are available and funding opportunities are maximized.

BACKGROUND

The West Hants Regional Municipality is in the Partners for Climate Protection (PCP) program. The PCP program is a series of milestones that enable the Municipality to reduce GHG emissions by understanding existing emissions, setting reduction targets, and developing and implementing a local action plan to reduce emissions. The former Municipality of the District of West Hants (West Hants) joined the program in 2018 and started work on Milestone 1 to produce a GHG inventory for corporate and community emissions. West Hants received \$60,000 from the Low Carbon Communities Program and \$8,400 from the Labour and Advanced Education Co-op Program to hire WSP Canada Inc. and two (2) students to complete Milestone 1. Although the Municipality was awarded the funding from the Labour and Advanced Education Co-op Program in March 2019, the Municipality was not able to hire for the Sustainability Planner

positions until May 6th as Council did not approve the budget for 2019-2020 until April 23.

For the 2020-2021 budget Council approved \$6,000 to cover the salary of a student for 10-weeks to complete Milestone 1 as the Town of Windsor data was not available until consolidation on April 1, 2020. Council approved the budget for 2020-2021 on June 3, 2020. As most students in university programs were hired by this date, staff were able to hire Casey Parker, one of the previous students from 2019, to complete this work on a part-time basis as she already had full-time summer employment.

The MCCAP Committee intends to proceed with Milestones 2 and 3 in 2021 which involve Council setting GHG reduction targets and creating a local action plan. The MCCAP Committee requests \$10,000 for the 2021-2022 budget to hire a student to assist with this project. Staff recommend that Council consider approving this budget request before Council approves its operating budget so that a student can be hired.

DISCUSSION

In previous years, staff have found it difficult to attract a wide range of candidates to complete the GHG emissions projects. The winter university term typically concludes in late March or early April. In programs that require a co-op placement, students start applying for positions in February and aim to have a position secured by April. This is to ensure they are able to meet their program requirements and be employed for the required amount of time (typically 15 to 16-weeks).

The Career Services department at Dalhousie University has been interested in our previous positions for Masters of Planning program students. The Municipality has interviewed some excellent candidates from this program and provided conditional offers to two (2) students in 2019 pending Council's budget decision. Both students initially accepted the offers but unfortunately were hired by other employers before they could start working in West Hants as those employers could guarantee their employment before the West Hants Council approved its budget.

Staff sent a proposed Sustainability Planner job description to the Career Services department at Dalhousie University in early 2020 to receive their initial approval for one (1) position. The department mistakenly sent the job description to their students in February 2020 before the Municipality was ready to hire. The job posting received 16 applications. In comparison, when the Municipality offered two (2) Sustainability Planner positions in 2019 staff only received two (2) applications for the initial posting in March and five (5) applications for the second posting at the end of April only after staff expanded the search to other programs at Dalhousie University.

Previous student positions have been partially covered by the Nova Scotia Department of Labour and Advanced Education Co-op Education Incentive which can cover half of the salary for a student completing a co-op program. However, hiring a co-op student with specific time requirements can be challenging if the student cannot be hired before Council approves its budget. Clean Foundation operates a summer internship program which covers up to 60% of the wages for a 15-week internship. Staff have contacted Clean Foundation to clarify program requirements. Intern positions are posted in March

and the student must be hired by the end of April as Clean Foundation offers an intern conference for their students in May. If Council pre-approves the budget for the term position it would enable staff to better utilize funding programs available to reduced overall project costs.

ATTACHMENTS

Appendix A Sustainability Planner Job Description

Report Reviewed by: _____
Madelyn LeMay, Director of Planning and Development

Report Approved by:  _____
Mark Phillips, Chief Administrative Officer

Appendix A
Sustainability Planner Job Description



**WEST HANTS REGIONAL
MUNICIPALITY**

JOB DESCRIPTION
**Sustainability Planner (student term
position)**

Position Title: Sustainability Planner (student term position)

Department/Division: Planning and Development

Reports To: Director of Planning and Development through Planner

Classification: 16-week contract

Position Summary: The primary responsibility of the Sustainability Planner will be assisting with the development of a greenhouse gas (GHG) emissions reduction plan for the West Hants Regional Municipality (West Hants).

West Hants recently completed the work for Milestone 1 of the Partners for Climate Change Protection program (<https://fcm.ca/en/programs/partners-climate-protection>) by developing a GHG inventory of corporate and community emissions. The Municipality expects to complete the work for Milestone 2 by setting emission targets in the spring of 2021. The Sustainability Planner will use the work completed in previous projects and provide research assistance to complete Milestone 3 to develop a local action plan to reduce emissions.

JOB DUTIES AND RESPONSIBILITIES

- Use all background material available (GHG inventories and action background study) to explore potential actions that would enable Council to reach its targets
- Provide extensive details on potential actions including costs, timelines, and implementation impacts
- Draft written material for the GHG emissions action plan
- Present findings to relevant committees

JOB CHARACTERISTICS AND WORK ENVIRONMENT

The Sustainability Planner will be expected generally to work 35 hours per week. There is opportunity for flexibility in terms of hours but it is expected that the Sustainability Planner will work predominately during weekdays (Monday to Friday) from 8:30 a.m. to 4:30 p.m. Any change in hours must be approved by the Planner prior to the change in hours. The Sustainability Planner will be expected to establish a suitable work- from-home environment and will complete their work virtually.

JOB REQUIREMENTS (KNOWLEDGE, SKILLS, EDUCATION, AND TRAINING)

Education & Experience

Enrollment in a co-op program for a University degree or college diploma in urban planning, environmental science, environmental studies, geography, engineering, or equivalent in Nova Scotia.

Knowledge, Skills, & Abilities

- Strong knowledge and interest in the areas of GHG emissions reductions, sustainable development and asset management
- Strong research and analytical skills (e.g. ability to conduct rigorous research, summarize findings, and present recommendations either in-person at meetings or virtually)
- Excellent writing and communications skills (e.g. ability to write succinct reports)

Please submit your resume and your cover letter to Madelyn LeMay, Director of Planning and Development at mlemay@westhants.ca. The deadline for applications is **date**.



Noise By-law
COTW February 9, 2021
Madelyn LeMay

DECISION REQUEST

- requesting direction on whether:
 - material should be prepared to begin repeal of the Noise By-laws for Windsor and Hantsport; or
 - a Noise By-law should be drafted for the Region

BACKGROUND - HANTSPORT

Issues determined in staff review of By-laws:

Hantsport

- not enforceable by Summary Offense Ticket – would require the lengthy “long-form” process to enforce
- subjective:
 - no definition of continuous noise;
 - no statement of the length of time a noise can occur before being in violation

BACKGROUND- WINDSOR

Windsor

- not enforceable by Summary Offense Ticket – would require “long-form” process
- subjective:
 - no definition of continuous noise;
 - no statement of the length of time a noise can occur before being in violation
- some noise not defined by decibel level;
- where decibel maximums are set they appear to be too low;
- appears to be conflict within the document;
- clause regarding barking is covered by the Dog By-law;
- clause regarding *fighting, screaming, shouting, or singing* should not be in Noise By-law

2019 WEST HANTS PROPOSED NOISE BY-LAW

- only 10 complaints had been received:
 - truck traffic
 - forestry operations
 - noise bangers at vineyard
 - mowing grass
- process was followed; Noise By-law drafted
- not approved by Council

EQUIPMENT

- Windsor sound meter purchased ~ 2005
- meter should be calibrated only by service technicians; none found in Nova Scotia
- age can have negative affect on accuracy of readings
- if there is a Noise By-law for the Region, a new sound meter which can be calibrated effectively by By-law Enforcement staff will be needed

CHIEF ADMINISTRATIVE OFFICER REVIEW

- Noise By-law presents many challenges:
 - timing of the complaint
 - measurement of the noise creating the complaint
 - noise complaint often originates as an issue between neighbors
- using RCMP and Bylaw Enforcement to promote "Peace and Good Order" when complaint is received will have more success addressing the concern, educating the public and utilizing the WHRM human resources

CHIEF ADMINISTRATIVE OFFICER RECOMMENDATION

- that the By-laws be repealed and
- that the matter be reviewed with the Police Advisory Board (PAB) for the Region to forecast impacts that the matter be reviewed with the Police Advisory Board (PAB) for the Region to forecast impacts should the By-laws be repealed.

DIRECTION of COTW

- that the process be initiated to repeal the Noise By-laws for Windsor and Hantsport, including review by the Police Advisory Board to forecast impacts should the By-laws be repealed:

OR

- that a Noise By-law be drafted for the Region



WEST HANTS REGIONAL MUNICIPALITY

Information ☐	Recommendation ☐	Decision Request ☒	Councillor Activity ☐
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To: Mayor and Members of Council

Submitted by: _____
Madelyn LeMay, Director, Planning and Development

Date: 2021-02-09

Subject: Noise By-law

1.0 LEGISLATIVE AUTHORITY

Municipal Government Act s. 172

2.0 BACKGROUND

In reviewing By-laws which must be enforced, By-law Enforcement determined that neither Hantsport nor Windsor's Noise By-law can be effectively enforced unless changes are made to the By-Laws by Council.

3.0 DECISION REQUEST

Staff requests direction from Committee of the Whole (COTW) on whether material should be prepared to begin repeal of the Noise By-laws for Windsor and Hantsport or whether a Noise By-law should be drafted which would encompass the Region.

4.0 DISCUSSION

A brief review of the Hantsport and Windsor Noise By-laws resulted in the identification of the following issues:

4.1 Hantsport's Noise By-Law Issues

- this By-law (Attachment A) is not enforceable by Summary Offence Ticket (SOT) as it is not listed on the Province's SOT Booklet Attachment (Attachment B). At present, By-Law officers are able to issue a warning or proceed by way of a "long form" – a process which is not recommended. It is lengthy and includes completion of an Information Form, a Summons and an Affidavit of Service. Each of these must be signed by a Justice of the Peace before being issued and the Affidavit of Service must be signed by a Commissioner of Oaths

or a Justice of the Peace. In order for SOTs to be issued amendments would be needed to the Provincial SOT Regulations. Should the By-law be kept, the long-form procedure would be required for enforcement until such time as SOTs could be issued;

- there is no definition of continuous noise and no statement of the length of time a noise can occur before being in violation of the By-law, which makes enforcement subjective.

4.2 Windsor's Noise Bylaw Issues

- this By-law (Attachment C) has no definition of continuous noise and no statement of the length of time a noise can occur before being in violation of the By-law, which makes enforcement subjective;
- the decibel maximums are established at 55dBA for the 7am-10pm period and 45dBA for the 10pm -7 am period. The maximums are likely too low since a regular conversation would be approximately 60dBA;
- there is no offense listed in the SOT Booklet regarding Section 33.03(1), *Making any noise or combination of noises which, when measured on the property or at a boundary line of the property on which the noise is heard or the noises are heard, exceeds the applicable A-weighted continuous noise level as follows: Time Commercial and Institutional Property Residential Property 7:00 am – 10:00 pm 55 dBA 65 dBA 10:00 pm – 7:00 am 45 dBA 55 dBA the decibel and time restrictions.* The Sound Meter would be used for this section, but a SOT could not be issued;
- Section 33.03 (3) *The operation of any noise-creating blower power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operation gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to attenuate such noise and the device is operated between the hours of 8 a.m. and 8 p.m.;* seems to contradict Section 33.03(1) above.
- Section 33.04 (1) *No person, in the Town, shall make any noise which disturbs or tends to disturb the peace and tranquillity of the Town or any portion of it;* this does not define the noise by decibel level, which makes it a subjective area.
- Section 33.04 (2) *No person who owns, or has under their supervision, a dog, shall permit the dog to make any noise which disturbs or tends to disturb the peace and tranquillity of the Town or any portion of it;* this section should be removed as it forms part of the Dog By-law;
- Section 33.04 (4) *No person shall by; (a) fighting (b) screaming (c) shouting, or (d) singing; cause any loud and unnecessary noise, the sounds of which are heard on another property or at a boundary line of the other property, or in a dwelling unit other than the dwelling unit in which the noise is generated.* Clauses (a) (b) and (c) should be responded to by the RCMP and not included within a Noise By-law.

4.3 West Hants 2019 Proposal

When a Noise By-law was proposed in 2019, fewer than ten complaints about noise in West Hants, including Hantsport, had been received by By-law

Enforcement. These were all related to truck traffic, forestry operations, noise bangers at a grape vineyard, and one to mowing grass. Unfortunately, the complaints were not recorded at that time.

Following consideration, the Noise By-law proposed in a 2019 report from the then-West Hants CAO, Martin Laycock, to West Hants Council (Attachment D) was not approved by Council.

4.4 Equipment

The Sound Meter owned by Windsor and apparently used by the Commissionaires appears to have been purchased in 2005, when the By-law came into effect, and was manufactured well before 2005.

If the machine is not calibrated, the accuracy of the measurements could be called into question during court proceedings. The manual for the Windsor sound meter states that the meter should be calibrated only by service technicians; however there does not appear to be anyone providing calibration services in Nova Scotia.

It also appears that the age of the Sound Meter can have a negative affect on an accurate reading.

Should Council wish to proceed with a Noise By-law for the Region, a new sound meter should be purchased. Any new meter should be able to be calibrated effectively by By-law Enforcement staff.

5.0 NEXT STEPS

Staff will prepare reports and documents based on the direction from COTW.

6.0 FINANCIAL IMPLICATIONS

This report does not have any financial implications for WHRM. A Noise By-law for the Region would require expenditure of between \$500. And \$1,000 for purchase of a new Sound Meter.

7.0 ATTACHMENTS

Attachment A	Hantsport Noise By-law
Attachment B	Summary Offense Ticket Booklet extract
Attachment C	Windsor Noise By-Law
Attachment D	Recommendation Report: Noise By-law, N-001

8.0 CHIEF ADMINISTRATIVE OFFICER REVIEW

In addition to the items noted in the report I would add that the enforcement of a noise bylaw presents many challenges. For example; the timing of the complaint, the measurement of the noise creating the complaint and reflecting that a noise complaint

often originates as an issue between neighbors, to name a few. The utilization of the RCMP and Bylaw Enforcement Officers to promote a standard of "Peace and Good Order" when a complaint is received would likely promote a higher level of success in addressing the concern, to educate the general public and to best utilize the human resources provided by the WHRM.

I would recommend repealing the bylaws and further suggest that the matter be reviewed with the Police Advisory Board (PAB) for the Region to forecast impacts should the bylaws be repealed.

Report Prepared by: _____
Madelyn LeMay, Director, Planning and Development
Ryan Parker, By-law Officer

Report Reviewed by: _____
Rhonda Brown, Clerk

Report Approved by:  _____
Mark Phillips, CAO



ATTACHMENT A

Town of Hantsport By-law #101-2

Noise By-law

PREAMBLE:

The residents of this normally quiet and peaceful town continue to experience the challenge of finding the appropriate level of control over the action of people in Town to encourage respect for others' privacy and their enjoyment of life.

Through a "living in community" initiative by Town Council, examining what contributes to and what detracts from comfort levels for residents of Hantsport, excessive noise has been identified as a significant factor.

With the authority vested in the Town by the Municipal Government Act to control noise, this bylaw is intended to establish acceptable standards for noise to encourage respect for the comfort, privacy and enjoyment of life for Town residents without the sanctions, which accompany the control of excessive noise generating behavior through the Canadian Criminal Code.

Be it therefore enacted by the Council of the Town of Hantsport, as follows:

1. This by-law shall be known as By-law No. 101-2 and may be cited as the Noise By-law.
2. In this by-law:
 - (1) "A-weighted Continuous Noise Level" and "dBA" both have the meaning used in Ontario Municipal Model Noise Code (1978);
 - (2) "Dwelling Unit" means living quarters, accessible from a private entrance either outside a building or in a common area within a building, that are occupied or, if unoccupied, are reasonably fit for occupancy, and that: contain kitchen facilities within the unit and have toilet facilities that are not shared with the occupants of other dwelling units;
 - (3) "Occupier" means a person who is in possession of a dwelling unit, or a person who has responsibility for and control over the condition of a dwelling unit or the activities there carried on.

Notwithstanding that there is more than one occupier of the same dwelling unit;

- (4) "Sound system" includes a public address system, phonograph, gramophone, radio, cassette tape player, compact disc player, computer or computer accessory, loudspeaker, microphone, or any other device or apparatus, whether moveable or stationary, whether located inside or outside a dwelling unit or motor vehicle, that apparatus amplifies, emits or transmits sounds;
 - (5) "Town" means the Town of Hantsport.



**Town of Hantsport
By-law #101-2**

Noise By-law

3. The following acts, among others, are hereby declared to be noises, which disturb or tend to disturb the peace and tranquility of the Town or any portion of it:

- (1) Making any noise or combination of noises which, when measured on the property or at a boundary line of the property on which the noise is heard or the noises are heard, exceeds the applicable A-weighted continuous noise level as follows:

Time	Residential Property	Commercial and Institutional Property
7 a.m. – 10 p.m.	55dBA	65 dBA
10 p.m. – 7 a.m.	45 dBA	55dBA

- (2) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor boat, except through a muffler or other device which will effectively prevent loud or explosive noises from it;
- (3) The operation of any noise-creating blower power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operation gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to attenuate such noise and the device is operated between the hours of 8 a.m. and 8 p.m.;

4.

- (1) No person, in the Town, shall make any noise which disturbs or tends to disturb the peace and tranquility of the Town or any portion of it.
- (2) No person who owns, or has under his or her supervision, a dog, shall permit the dog to make any noise, which disturbs or tends to disturb the peace and tranquility of the Town or any portion of it.
- (3) No person, in the Town, shall operate, or cause or permit to be operated any sounds system at such a level that the resulting sound is heard, in a dwelling unit or other building, other than the dwelling unit or other building in which the sound system in question is located.
- (4) No person shall be:
- fighting
 - screaming
 - shouting, or
 - singing

No person shall cause any loud and unnecessary noise, the sounds of which are heard on another property or at a boundary line of the other property, or in a dwelling unit other than the dwelling unit in which the noise is generated.



**Town of Hantsport
By-law #101-2**

Noise By-law

5.

- (1) No occupier shall allow or permit to occur in the dwelling unit of which that person is the occupier, any activity prohibited by Section 4 above.
- (2) It is a defence to a charge under this section that there was another occupier who had a greater right of possession or greater responsibility and control over the dwelling unit in question at the time of the prohibited activity.

6. This by-law does not apply to the following:

- (1) Employees of the Town, the Government of Canada, the Province of Nova Scotia Inc., Minas Basin Pulp & Power Company Ltd., Fundy Gypsum Company, Windsor and Hantsport Railway Company Limited, Nova Scotia Power or Maritime Tel and Tel when those employees are acting in the reasonable execution of their duties;
- (2) Noises emitted by machinery or equipment when used under the provisions of (1) above;
- (3) A person or a corporation, or an employee of such person or corporation, reasonably performing work at the request of any party described in (1) above;
- (4) Noise emitted by machinery and equipment, or either of them, used in snow removal and snow clearing operations on public or private property, not later than 48 (forty-eight) hours after the end of the storm which left the snow;
- (5) Noises in connection with athletic, recreational or school activities in arenas, playing fields, courts, school grounds or in Town park areas between the hours of 7 a.m. and 11 p.m.;
- (6) Noises in relation to parades, street dances, or other community activities between the hours of 7 a.m. and 11 p.m. subject to permission having been granted under Section 8 of this By-law;
- (7) Noises in relation to religious activities between the hours of 7 a.m. and 11 p.m.;
- (8) (a) The regulation of any loud and unnecessary noise in or from the engine, exhaust system, braking system, or from the contact of the tyres with the roadway, by a motor vehicle from starting, driving, turning, stopping, or accelerating;

(b) The regulation, registration, licensing or identification of vehicles, or the use of the highway by such vehicles, both categories of which are within the jurisdiction of the Motor Vehicle Act.



**Town of Hantsport
By-law #101-2**

Noise By-law

7. Notwithstanding any other provision of this By-law, it is lawful to emit or cause or permit the emission of noise in connection with:
 - (1) Emergency measures undertaken for the immediate health, safety and welfare, or any of them, of the inhabitants of the Town;
 - (2) Emergency measures undertaken for the preservation of property;
 - (3) Construction activities between the hours of 8 a.m. and 8 p.m. for which a Building Permit has been issued by the Town;
 - (4) Agriculture activities carried on by a farm operation.
8. An exemption from the application of the By-law may be granted by the Council under the following terms:
 - (1) Notwithstanding anything contained in this By-law, any person may make application to the Council to be granted an exemption from any of the provisions of this By-law with respect to any emission of noise for which that person might be prosecuted. The Council may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser affect. Any exemption granted shall specify the time period, not in excess of 6 (six) months, during which the exemption shall be effective and the exemption shall be in written form and shall include such terms and conditions as the Council deems appropriate;
 - (2) In deciding whether or not to grant an exemption, the Council shall give consideration to the social or commercial benefit of the proposed activity to the Town, the views of any residents of the Town which may be expressed to the Council, the proposed hours of operation of the proposed noise making activity, and the proposed duration of the subject activity;
 - (3) In deciding whether or not to grant an exemption, the Council shall give the applicant and any person or person, who may be affected by the proposed activity, an opportunity to be heard and may consider such other matters as the Council deems appropriate;
 - (4) Any alleged breach by the applicant of any of the terms or conditions of any exemption granted by the Council shall be investigated by Town staff and reported to the Council in writing. The Council shall determine whether or not a breach has taken place. If the Council determines that a breach has taken place the Council may revoke the exemption.
9. Every person who contravenes or fails to comply with any of the provisions of the By-law



**Town of Hantsport
By-law #101-2**

Noise By-law

shall be liable to a penalty of not less than \$50 (fifty dollars) and not more than \$200 (two hundred dollars), and default of payment, to imprisonment for a period not exceeding 60 (sixty) days.

Passed by the Town Council of the Town of Hantsport on the 24th day of October, 2001.

Approved by the Minister of Municipal Affairs on (no ministerial signature).

ATTACHMENT B

Schedule M-26 Town of Windsor By-laws

Offence	Section	Out of Court Settlement
Alarms By-law:		
Failing to maintain current list of contact persons	32.04	\$237.50
Installing, maintaining or using audible alarm other than for heat, smoke or fire that is capable of being sounded outside for greater than 15 minutes	32.06	\$237.50
Owner causing or permitting false alarm contrary to by-law	32.07	\$237.50
Using, permitting, maintaining or installing automatic calling device contrary to by-law	32.1	\$237.50
Civic Addressing By-law:		
Refusing to comply with assignment or re-assignment of civic number	31.4.4	\$237.50
Owner of private road failing to erect road sign according to specifications in by-law	31.6.2	\$237.50
Dog By-law		
Owning dog that runs at large	38.12(1)(a)	\$352.50
Owning dog that is not registered or has unpaid registration (specify)	38.12(1)(b)	\$352.50
Owning fierce or dangerous dog	38.12(1)(c)	\$697.50
Owning dog that disturbs quiet of neighbourhood	38.12(1)(d)	\$697.50
Owner of dog, other than dog that is trained to assist and is assisting person with disability, failing to remove dog feces from property other than owner's property	38.13(1)	\$352.50
Owner of dog failing to provide statutory declaration as required by Bylaw when disposing of dog carcass without exhibiting it to bylaw enforcement officer	38.15(2)	\$352.50
Owner failing to deliver statement in writing of number of dogs owned, harboured, or habitually kept (specify) on premises of owner as required by bylaw	38.24	\$352.50
Exotic Pet By-law		
Bringing into town, possessing, having care or control of or harbouring (specify) prohibited animal	42.02(a)	\$295.00
Disposing of prohibited animal	42.02(b)	\$295.00
Selling or offering for sale (specify) prohibited animal	42.02(c)	\$295.00
Owner of exotic animal failing to ensure it is kept in secured enclosure	42.03	\$295.00
Fire Arms By-law		
Firing or discharging fire arm	8.01	\$237.50
Hawkers, Traders and Peddlers By-law		
Hawking, peddling or going from door to door to sell or offer for sale (specify) without license	15.01	\$237.50
Operating mobile canteen or mobile refreshment stand (specify) without license	15.06(a)	\$237.50
Exercising business of auctioneer without first obtaining auctioneer's license	15.07(a)	\$237.50
Minimum Standards By-law:		
Owner failing to maintain building to standards (specify)	36.06	\$369.75
Noise Bylaw		
Making noise that tends to disturb peace and tranquillity of Town	33.04(1)	\$180.00
Person supervising dog permitting dog to make noise that tends to disturb	33.04(2)	\$180.00

**Schedule M-26
Town of Windsor By-laws**

Offence	Section	Out of Court Settlement
Operating sound system so that sound is heard in other dwelling unit	33.04(3)	\$180.00
Causing loud and unnecessary noise by fighting, screaming, shouting or singing (specify) that is heard at boundary line with other property	33.04(4)	\$180.00
Occupier permitting activity prohibited by Section 4 of bylaw (specify) in dwelling unit	33.05(1)	\$180.00
Occupier permitting noise to be made that disturbs peace and tranquillity of Town	33.05(2)	\$180.00
Outdoor Fire By-law:		
Operating open fire pit within Town	39.03(1)	
first offence		\$410.00
second offence		\$1272.50
third offence		\$5872.50
Having outdoor fire within Town not contained as required	39.03(2)	
first offence		\$410.00
second offence		\$1272.50
third offence		\$5872.50
Burning non-designated material or waste within Town	39.03(3)	
first offence		\$410.00
second offence		\$1272.50
third offence		\$5872.50
Failing to obtain special burn permit for open air burning	39.05	
first offence		\$410.00
second offence		\$1272.50
third offence		\$5872.50
Protection from Second-Hand Smoke By-law:		
Smoking where prohibited	4	\$352.50
Respecting Smoke Free Public Spaces Bylaw		
Smoking in park on Town property or property Town is licensed to maintain (specify)	4(a)	\$410.00
Smoking in playground on Town property	4(b)	\$410.00
Smoking in outdoor recreational facility on Town property	4(c)	\$410.00
Smoking on grounds of Town building	4(d)	\$410.00
Smoking on grounds of event on Town property open to public	4(e)	\$410.00
Smoking on path on Town property or property Town is licensed to maintain (specify)	4(f)	\$410.00
Smoking on street within Town boundaries	4(g)	\$410.00
Sewers and Sewage Discharges By-law		
Discharging or causing or permitting discharge (specify) of any storm water into public sanitary sewer system	11.02(a)	\$237.50
Discharging or causing or permitting discharge (specify) of sanitary sewage into public storm sewer system	11.02(b)	\$237.50
Injuring, breaking or removing portion of public sewer system (specify) or device installed in public sewer system for purpose of measuring, sampling or testing sanitary sewage	11.02(c)	\$237.50

ATTACHMENT C



TOWN OF WINDSOR BYLAW # 33 PREVENTION OF EXCESSIVE NOISE BYLAW

With the authority vested in the Town by the Municipal Government Act to control noise, this bylaw is intended to establish acceptable standards for noise to encourage respect for the comfort, privacy and enjoyment of life for Town residents.

Be it therefore enacted by the Council of the Town of Windsor, as follows:

33.01 This Bylaw shall be known as Bylaw No. 33 and may be cited as the Noise Bylaw.

33.02 In this Bylaw:

- (1) "A-weighted Continuous Noise Level" and "dBA" both have the meaning used in Ontario Municipal Model Noise Code (1978);
- (2) "Dwelling Unit" means living quarters, accessible from a private entrance either outside a building or in a common area within a building, that are occupied or, if unoccupied, are reasonably fit for occupancy, and that:
 - (a) Contain kitchen facilities within the unit; and
 - (b) Have toilet facilities that are not shared with the occupants of other dwelling units; and includes any additional space which the occupier is entitled to occupy, including but not limited to decks, patios, yards and driveways.
- (3) "Occupier" means,
 - (a) A person who is in possession of a dwelling unit, or
 - (b) A person who has responsibility for a control over the condition of a dwelling unit or the activities there carried on, notwithstanding that there is more than one occupier of the same dwelling unit.
- (4) "Sound System" includes a public address system, phonograph, gramophone, radio, cassette tape player, compact disc player, computer or computer accessory, loud speaker, microphone, or any other device or apparatus, whether operated electrically, mechanically or in any other way whatsoever, whether moveable or stationary, whether located inside or outside a dwelling unit or motor vehicle, that reproduces, amplifies, emits, or transmits sounds;
- (5) "Town" means the Town of Windsor.

33.03

The following acts, among others, are hereby declared to be noises which disturb or tend to disturb the peace and tranquillity of the Town or any portion of it;

- (1) Making any noise or combination of noises which, when measured on the property or at a boundary line of the property on which the noise is heard or the noises are heard, exceeds the applicable A-weighted continuous noise level as follows:

Time	Commercial and Residential Property	Institutional Property
7:00 am – 10:00 pm	55 dBA	65 dBA
10:00 pm – 7:00 am	45 dBA	55 dBA

- (2) The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor boat, except through a muffler or other device which will effectively prevent loud or explosive noises from it;
- (3) The operation of any noise-creating blower power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operation gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to attenuate such noise and the device is operated between the hours of 8 a.m. and 8 p.m.;

33.04

- (1) No person, in the Town, shall make any noise which disturbs or tends to disturb the peace and tranquillity of the Town or any portion of it.
- (2) No person who owns, or has under their supervision, a dog, shall permit the dog to make any noise which disturbs or tends to disturb the peace and tranquillity of the Town or any portion of it.
- (3) No person, in the Town, shall operate, or cause or permit to be operated any sound system at such a level that the resulting sound is heard, in a dwelling unit or other building, other than the dwelling unit or other building in which the sound system in question is located.
- (4) No person shall by
 - (a) fighting
 - (b) screaming
 - (c) shouting, or
 - (d) singing;cause any loud and unnecessary noise, the sounds of which are heard on another property or at a boundary line of the other property, or in a dwelling unit other than the dwelling unit in which the noise is generated.

33.05

- (1) No occupier shall allow or permit to occur in the dwelling unit of which that person is the occupier, any activity prohibited by Section 4 above.

- (2) No occupier shall permit noise to be made in or on the occupier's dwelling unit which disturbs the peace and tranquillity of the Town or any portion of it.
- (3) It is a defence to a charge under this section that there was another occupier who had a greater right of possession or greater responsibility and control over the dwelling unit in question at the time of the prohibited activity.
- (4) In a prosecution for a violation of the bylaw, evidence that one person is disturbed is *prima facie* evidence that the Town or any portion of it is disturbed.

33.06

This Bylaw does not apply to the following:

- (1) Employees of the Town, the Government of Canada, the Province of Nova Scotia, Windsor & Hantsport Railway Company Limited, Registered Utility Companies when those employees are acting in the reasonable execution of their duties;
- (2) Noises emitted by machinery or equipment when used under the provisions of (1) above;
- (3) A person or corporation, or an employee of such person or corporation, reasonably performing work at the request of any party described in (1) above;
- (4) Noise emitted by machinery or equipment used in snow removal and snow clearing operations to provide safe and unimpeded access to and egress from health care and health service facilities, homes or health care providers, where the responsible health care provider has concluded that such operations must be carried out at that time;
- (5) Noises in connection with athletic, recreational or school activities in arenas, playing fields, courts, school grounds or in Town park areas between the hours of 7 a.m. and 11 p.m.;
- (6) Noises in relation to religious activities between the hours of 7 a.m. and 11 p.m.;
- (7) Noises in relation to parades, street dances, or other community activities between the hours of 7 a.m. and 11 p.m. subject to permission having been granted under Section 8 of this Bylaw;
- (8)
 - (a) The regulation of any loud and unnecessary noise in or from the engine, exhaust system, braking system, or from the contact of the tires with the roadway, by a motor vehicle from starting, driving, turning, stopping, or accelerating;
 - (b) The regulation, registration, licensing or identification of vehicles, or the use of the highway by such vehicles, both categories of which are within the jurisdiction of the Motor Vehicle Act.

33.07

Notwithstanding any other provision of this Bylaw, it is lawful to emit or cause or permit the emission of noise in connection with:

- (1) Emergency measures undertaken for the immediate health, safety and welfare, or any of them, of the inhabitants of the Town;
- (2) Emergency measures undertaken for the preservation of property;
- (3) Construction activities between the hours of 8 a.m. and 8 p.m. for which a Building Permit has been issued by the Town;
- (4) Agricultural activities carried on by a farm operation.

33.08

An exemption from the application of this Bylaw may be granted by the Council under the following terms:

- (1) Notwithstanding anything contained in this Bylaw any person may make application to the Council to be granted an exemption from any of the provisions of this Bylaw with respect to any emission of noise for which that person might be prosecuted. The Council may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser affect. Any exemption granted shall specify the time period, not in excess of six months, during which the exemption shall be effective and the exemption shall be in written form and shall include such terms and conditions as the Council deems appropriate;
- (2) In deciding whether or not to grant an exemption, the Council shall give consideration to the social or commercial benefit of the proposed activity to the Town, the views of any residents of the Town which may be expressed to the Council, the proposed hours of operation of the proposed noise making activity, and the proposed duration of the subject activity;
- (3) In deciding whether or not to grant an exemption the Council shall give the applicant and any person or persons who may be affected by the proposed activity an opportunity to be heard any may consider such other matters as the Council deems appropriate;
- (4) Any alleged breach by the applicant of any of the terms or conditions of any exemption granted by the Council shall be investigated by Town staff and reported to the Council in writing. The Council shall determine whether or not a breach has taken place. If the Council determines that a breach has taken place the Council may revoke the exemption.

33.09

Every person who contravenes or fails to comply with any of the provisions of the Bylaw shall be liable to a penalty of not less than fifty dollars (\$ 50.00) and not more than two hundred dollars (\$ 200.00), and default of payment, to imprisonment for a period not exceeding sixty (60) days.

Clerk's Annotation for Official Bylaw Book

Date of first reading of bylaw: June 28, 2005

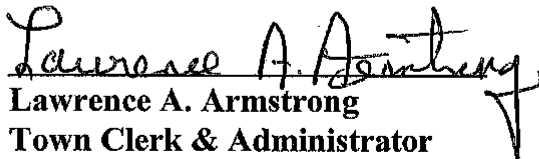
Date of advertisement of Notice of Intent to Consider: July 6, 2005

Date of second reading of bylaw: July 26, 2005

***Date of advertisement of Passage of Bylaw:** August 3, 2005

Date of mailing to Minister a certified copy of Bylaw: Aug. 4, 2005

I certify that this Prevention of Excessive Noise bylaw was adopted by Council and published as indicated above.


Lawrence A. Armstrong
Town Clerk & Administrator
Town of Windsor

Aug. 4, 2005
Date

ATTACHMENT D



MUNICIPALITY OF THE DISTRICT OF WEST HANTS RECOMMENDATION REPORT

To: Members West Hants Council

Submitted by: _____
Martin Laycock, Chief Administrative Officer

Date: January 22, 2019

Subject: Noise By-law, N-001

Origin:

Council approved a motion on July 10, 2018 to proceed with the finalizing a Noise By-law for the growth areas of Three Mile Plains, Hantsport and Falmouth.

Legislative Authority:

Municipal Government Act – Section 172

Recommendation:

Committee of the Whole recommends that:

... that Council give First Reading and proceed to a Public Hearing for the Noise By-law N-001 as presented in the Noise By-law, N-001 Recommendation Report dated January 22, 2019.

Background:

Council originally requested information on a Noise By-law in January 2017 after receive information regarding on-going noise related issues. An information report was provided to the Committee of the Whole (COTW) in February 2018, and a motion recommending a Noise By-law be created for the growth centers of Three Mile Plains, Hantsport and Falmouth was deferred at that meeting. The June 26, 2018 COTW approved and recommended the deferred motion to Council. Council approved the motion to create a Noise By-law for the growth centres at the July 2018 Council meeting.

Noise By-laws from various municipal units were review and sent to Councillors by the Municipal Clerk for information and feedback. The majority of Councillors stated a preference for the model Noise By-law put forth by the Association of Municipal Administrator of Nova Scotia (AMANS).

Noise By-laws are found in 17 of the 24 district or county municipalities in Nova Scotia. The Municipality of West Hants currently has a Noise By-law for just the community of Hantsport and a Peace and Good Order By-law covering the entire Municipality, except Hantsport. The Peace and Good Order By-law only speaks to the sounds of motorized vehicles and may be proposed for repeal as the Motor Vehicle Act already addresses the sounds of vehicles.

Discussion:

The draft Noise By-law outlines what noise is not acceptable, including a measurable sound limit. The By-law provides for activities and sounds which are automatically exempt, a process by which Council may grant an exemption and penalties should the By-law or exemption fail to be adhered to. The proposed Noise By-law also repeals and replaces the Noise By-law #101-2 of the Former Town of Hantsport.

The draft Noise By-law being proposed was based on the AMANS model Noise By-law, but has been modified for understanding and usage by the Municipality to ensure compliance and enforcement abilities. Some of the changes include:

- additional definitions,
- stating that noise will be measured by Type 2 sound level meter over a period of 5 minutes to determine compliance with the By-law,
- automatic noise exemption for Minas Basin Pulp and Power Company Ltd., refrigeration units and power generators,
- defined a maximum Council exemption period of 24 months, at which time an applicant would need to re-apply for an exemption, and
- provides a higher penalty for a second offence within a 6-month period.

It should be noted the By-law has allowed for automatic exemptions in Section 4.3 (e) for events which have received a Special Event Permit under the Special Events By-law. As well, Schedule A of the proposed Noise By-law has been adjusted to consider businesses operating on Sundays and to specifically include lawn care equipment.

The proposed Noise By-law has been written so enforcement could be by the Municipality or by the Royal Canadian Mounted Police (RCMP). However, permission for the RCMP to enforce the By-law is yet to be obtained, as a final draft was desired for their review. Enforcement for noise complaints would typically include the measurement of the sound level using A-weighted sound pressure level readable on the sound level meter. If the sound level meter is unavailable Section 3.2 and 6.2 would allow an officer to issue a Notice of Violation or Summary Offence without determining sound levels.

Under the proposed Noise By-law, a noise complaint would only be investigated if it was continuous noise, meaning the noise was consistent for period exceeding 30 minutes or

recurring with interruptions of up to an hour in duration. In order for any Officer to enforce the By-law and obtain a sound level, the noise would need to be occurring when the Officer arrives at the site.

Amendments to the Provincial Summary Offence Ticket Regulations to allow for Summary Offence Tickets (SOTs) to be issued will be sought if Council approves the By-law, until such time the Summary Offences would be pursued under court action. It should be noted that many of the other municipalities with Noise By-laws do not pursue penalties under their by-law, and so it is undetermined if the provisions in the proposed Noise By-law enable a successful legal action.

Financial Implications:

The exact financial implications of the proposed Noise By-law are unknown. To enforce the By-law at possibly 2 sound level meters would need to be purchased, one for the Municipality and one for the RCMP; should the RCMP ability to enforce the By-law be approved. The meter to be purchased is yet to be determined so the exact cost is unknown, and may require Council's approval as it would be outside the current budget.

As the number of potential noise complaints is unknown, the financial implications of an Officer's time and Municipal legal costs to enforce the By-law cannot be determined and it is possible legal costs, resulting from long form or disputed SOTs, may not be recovered, even if a case is successful.

Alternatives:

1. Committee of the Whole may choose not to recommend the draft Noise-By-law to Council.
2. Committee of the Whole may recommend changes before recommending the Noise By-law to Council.

Attachments:

1. Draft Noise By-law N-001
2. Example of a Noise By-law Exemption Application

Report Prepared by: _____
Rhonda Brown, Municipal Clerk

Report Reviewed by: _____
Carlee Rochon, Director of Finance



MUNICIPALITY OF THE DISTRICT OF WEST HANTS
Noise By-Law

1. TITLE, PURPOSE and SCOPE

- 1.1. This by-law shall be known and cited as the "Noise By-law".
- 1.2. The purpose of the Noise By-law is to set acceptable standards for noise in designated areas of the Municipality of the District of West Hants to allow for the peaceful enjoyment of property by residents.
- 1.3. This Noise By-law shall only apply within the boundaries of the designated growth centres of Three Mile Plains and Falmouth, as identified in the Municipality of the District of West Hants' Municipal Planning Strategy (as amended), and to the former Town of Hantsport.

2. DEFINITIONS

2.1. In this By-law

- a) "A-weighted Sound Pressure Level or dBA" is the sound pressure level modified by application of A-weighting, which is intended to approximate the relative sensitivity of the normal human ear to different frequencies of sound and is measured in decibels by a sound level meter;
- b) "construction" includes erection, alteration repair, dismantling and demolition of structures and includes structural maintenance, hammering, land clearing, moving of earth, rock or fell trees, rock breaking, grading, excavating, the laying of pipe or conduit whether above or below ground level, working with concrete, alteration or installation of any equipment, the structural installation of construction components or materials in any form whatsoever, the placing or removing of any construction related materials and includes any related work, but does not include blasting;
- c) "construction equipment" means any equipment or device designed and intended for use in construction or material handling including but not limited to air compressors, air tracks, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, backhoes, scrapers, pavers, generators, off highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders and other materials handling equipment;
- d) "continuous noise" means
 - i. uninterrupted noise for a period of time exceeding 30 minutes; or
 - ii. recurring noise having periods of interruption of up to 1 hour in duration;

- e) "Council" means the Council of the Municipality of the District of West Hants;
- f) "dwelling unit" means one or more habitable rooms designed or intended to be used by one or more individuals as a separate and independent housekeeping place in which separate kitchen and sanitary facilities are provided for the exclusive use of such individual or individuals, with a private entrance from outside the building or from a common hallway or stairway inside the building; and includes any additional space which the occupier is entitled to occupy , including but not limited to decks, patios, yards and driveways;
- g) "emergency response personnel" includes police, fire departments or brigades, registered emergency service providers, search and rescue personnel, provincial, regional or municipal Emergency Measures Organizations, ambulance or emergency health services providers and includes volunteer or military personnel responding to an apparent condition of emergency;
- h) "emergency response vehicle" means any vehicle that is designated and authorized to respond to an emergency in a life-threatening situation;
- i) "motor vehicle" includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular, gravitational or wind power; but does not include a motorized wheelchair, a vehicle running only upon rails, a farm tractor or a self-propelled implement of farming, or an off-highway vehicle as defined from time to time in the *Off Highway Vehicles Act*;
- j) "Municipality" means the Municipality of the District of West Hants;
- k) "neighbourhood" means the area surrounding a particular place, person or object.
- l) "occupant" means a person(s) who is in a possession of dwelling unit or a person(s) who has responsibility for and control over the condition of a dwelling unit or the activities there carried on. For greater clarity, there may be more than one occupant of a dwelling unit;
- m) "Officer" means the Municipality's By-law Enforcement Officer, Special Constable, or a member of the Royal Canadian Mounted Police;
- n) "point of reception" means any point on premises where sound, originating from other premises, including other dwelling units, is received;

- o) "recreational vehicle or boat" means an off-highway vehicle as defined in the Off-Highway Vehicles Act and includes any motorized water-craft, but does not include a commercial fishing boat or a boat used as a ferry or in a commercial enterprise;
- p) "sound system" means a public address system, television, radio, cassette tape player, compact disk player, computer or computer accessory, loud speaker, microphone, or any other device or apparatus, whether operated electronically, mechanically, or in any other way whatsoever whether movable or stationary, whether located inside or outside a dwelling unit or motor vehicle, that reproduces, amplifies, emits or transmits sound.

3. PROHIBITIONS and INTERPRETATIONS

- 3.1. No person shall engage in any activity which unreasonably disturbs or tends to disturb the peace and tranquility of a neighbourhood.
- 3.2. For the purpose of this section, evidence that the peace and tranquility of one person, including an Officer, is unreasonably disturbed by a noise is prima facie evidence that the peace and tranquility of the neighbourhood is unreasonably disturbed.
- 3.3. Without limiting the generality of Section 3.1, the activities listed in Schedule "A" during the prohibited times and places set out therein are deemed to be activities that unreasonably disturb the peace and tranquility of a neighbourhood.
- 3.4. Without limiting the generality of Section 3.1, no person shall generate, or cause or permit to be generated, a continuous noise that is measurable in A-weighted sound pressure level at a point of reception:
 - a) in excess of 70 dBA, before 7:00 a.m. or after 10:00 p.m.
 - b) in excess of 90 dBA, at other times.The A-weighted sound pressure level will be measured by a Type 2 sound level meter or better, over a period of 5 minutes.

4. FIXED EXEMPTIONS

- 4.1. This By-law does not apply to:
 - a) Emergency response personnel engaged in the execution of their emergency response duties; or
 - b) Persons acting at the request of emergency response personnel during an actual or apparent emergency condition.

- 4.2. Without limiting the generality of the foregoing, noises caused by emergency response vehicles and air ambulances are specifically exempt from prosecution.
- 4.3. Notwithstanding any other provision of this By-law, this By-law shall not apply to or prohibit:
- a) the emission of sound in connection with any organized traditional, festive or religious activity celebrating:
 - i. Canada Day;
 - ii. New Year's Eve; or
 - iii. religious holidays;
 - b) the emission of sound in connection with calls of worship, ringing of bells at places of religious worship, or services of religious worship;
 - c) noise caused by the Municipality, the Government of Canada, the Province of Nova Scotia, the Nova Scotia Power Corporation, Minas Basin Pulp and Power Company Ltd., and telecommunication companies, and their contractors and employees when acting in the reasonable execution of their duties
 - d) noises in connection with organized athletic or recreational activities in municipal or public park areas, arenas or community centres between 5:00 a.m. and midnight;
 - e) noises from organized and scheduled festivals, parades, street dances, rallies or other community activities funded, sponsored or licenced by the Government of Canada, Province of Nova Scotia or the Municipality;
 - f) noises emitted by audible pedestrian signals;
 - g) noises resulting from operation of any refrigeration unit which is capable of being attached to a refrigeration truck;
 - h) noises from the operation of off-highway vehicles at sites designated for that purpose;
 - i) noises emitted by machinery or equipment used in snow removal or snow clearing operations on public or private property;
 - j) noises in connection with agriculture activities carried on agriculture operations; and
 - k) noises associated with power generators used during an electrical power outage.

5. GRANT of EXEMPTIONS by COUNCIL

- 5.1. Notwithstanding anything contained in this By-law, any person may make an application, in the format approved by the Municipality, to Council to be granted an exemption from any of the provisions of this By-law with respect to any emission of noise for which that person might otherwise be prosecuted.
- 5.2. Council, by resolution, may refuse to grant the exemption or may grant the exemption with or without conditions.

- 5.3. Any exemption granted pursuant to Section 5.2 shall:
- specify a time period of not greater than twenty-four (24) months during which the exemption shall be effective;
 - shall be confirmed in writing by the Municipality before becoming effective; and
 - shall include such terms and conditions as Council deems appropriate.
- 5.4. Any person requesting an exemption pursuant to Section 5.1 must submit an application to the Municipality at least thirty (30) calendar days prior to the date and time of the noise for which the exemption is sought.
- 5.5. In deciding whether or not to grant an exemption under Section 5.1 or in determining terms or conditions of the exemption, Council shall give consideration to:
- the social or economic benefit of the proposed activity to the Municipality;
 - the volume, nature, duration and consistency of noise emission from the proposed activity;
 - the proximity and nature of abutting or adjacent land uses;
 - the hours of operation of the proposed activity;
 - the views of any residents of the Municipality which may be expressed to Council;
 - any other factors relevant to balancing the interests of the applicant in the proposed activity against the interests of those persons who might be disturbed by the proposed activity.
- 5.6. In deciding whether or not to grant an exemption, Council shall give the applicant, and any person opposed to the application, an opportunity to be heard by Council.
- 5.7. Applications for an exemption for an activity of less than 14 days duration do not require a public hearing pursuant to this section or notice pursuant to Section 5.4.
- 5.8. Fourteen (14) days notice of the time, date and purpose of a Public Hearing pursuant to Section 5.6, shall be mailed to the assessed owner or owners, as shown in the records of the Assessment Office, of each property which contains a building located within 150 meters (492 feet) of the property which will be the subject of the hearing.
- 5.9. Where the exemption is sought for an outdoor event not conducted at a fixed location, notice may be given by advertisement in a local news paper of mass circulation and the Municipality's website. The cost associated with notification shall be paid by the applicant.

5.10. Any contravention of the terms or conditions of an exemption granted pursuant to Section 5.1 shall constitute a contravention of this By-law. In addition to any other available remedies for such contravention, an Officer may on reasonable and probable grounds, without a hearing, suspend an exemption for a period of up to 30 days pending Council review of the exemption.

5.11. Any exemption granted pursuant to Section 5.2 shall be reviewable by Council at any time upon 14 days notice to the person exempted.

5.12. Council is free to revoke, suspend, amend or restrict any exemption under review, having regard to the criteria set forth in Section 5.5, and without giving notice to adjacent owners in accordance with Sections 5.8 and 5.9.

6. ENFORCEMENT and PENALTY

6.1. Any Officer may enter upon private property for the purpose of investigation and enforcement of this By-law.

6.2. Any Officer who believes on reasonable and probable grounds that there has been a violation of this By-law may issue a Notice of Violation or Summary Offence Ticket.

6.3. Each day during which any contravention of this By-law continues shall be deemed a separate offence.

6.4. Any person who contravenes any provision of this By-law shall be guilty of an offence and shall, on summary conviction, be liable:

- a) for the first offence to a fine of not less than two hundred dollars (\$200.00) and not more than five thousand dollars (\$5000.00) or imprisonment for a period not exceeding sixty (60) days;
- b) for the second offence or any subsequent offence within a six-month period to a fine of not less than five hundred dollars (\$500.00) and of not more than ten thousand dollars (\$10,000.00) or imprisonment for a period not exceeding ninety (90) days.

6.5. In lieu of prosecution under this By-law, the Officer may, in his sole and absolute discretion, issue to any person he believes upon reasonable grounds has committed an offence under this By-law, a Notice of Violation. The Notice of Violation shall require the person to whom it is directed to pay to the Municipality within fourteen (14) days of the issuance of the Notice the sum of \$100.00 for an offence under this By-law. Where a Notice of Violation is issued and if that sum is paid as required therein, no prosecution shall ensue in respect to the matter or matters referred to in the Notice. For greater certainty, nothing in this By-law requires the Municipality to issue a Notice of Violation before initiating a prosecution.

6.6. Where a Notice of Violation is issued, and that sum is not paid within fourteen (14) days as required, the Officer shall proceed with the penalty outlined in Section 6.4.

6.7. If a court of competent jurisdiction should declare any section or part of section of the By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

7. REPEAL

7.1. The Noise By-law #101-2 of the former Town of Hantsport is hereby repealed and replaced by this By-law.

DRAFT

Schedule "A"

Part 1: Activities that unreasonably disturb the peace and tranquility of a neighbourhood, at all times, where the sound resulting therefrom is audible at a point of reception and exceeds an A-weighted sound pressure level in excess of 70 dBA:

1. The operation of any combustion engine or pneumatic device without an effective exhaust or intake muffling device in good working order and in constant operation;
2. The operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sound due to an improperly secured load or equipment or inadequate maintenance;
3. The operation of a motor vehicle horn or other warning device except where required or authorized by law or in accordance with good safety practices;
4. The detonation of fireworks or explosive devices not used in construction or quarrying, except in accordance with Section 4.3 (a);
5. The discharge of firearms except when used as a signaling device in a sporting competition;
6. The operation of a combustion engine which is used in or intended for use in a toy or a model or replica of any device, which model or replica has no function other than amusement or which is not a conveyance;
7. The operation of a recreational vehicle or boat within 20 meters (65 feet) of a dwelling unit without the consent of an adult occupant of the dwelling unit;
8. Persistent barking, howling or other persistent noise-making by an animal, other than a dog, owned or possessed by the occupant of the premises;
9. The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes unless:
 - a. the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded;
 - b. operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to, operation of ready-mixed concrete trucks, lift platforms and refuse compactors;
 - c. weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers

- or animals, or the preservation of perishable cargo, and where the vehicle is stationary for the purposes of delivery or loading;
- d. prevailing low temperatures make longer idling periods necessary immediately after starting the motor or engine;
 - e. the idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like, when such work is performed other than for profit.
10. The operation of any item of construction equipment in a residential area without effective muffling devices in good working order and in constant operation.

Part 2: Activities that unreasonably disturb the peace and tranquility of a neighbourhood on a Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday before 7:00 a.m. or after 9:30 p.m.; on a Sunday, Statutory Holiday or Remembrance Day before 8:00 a.m. and after 8:00 p.m, where the sound resulting therefrom is audible at a point of reception and exceeds an A-weighted sound pressure level in excess of 70 dBA :

- 1. The operation in the outdoors of any power tools; other than for snow removal;
- 2. The operation in the outdoors of any lawn care equipment;
- 3. Yelling, shouting, hooting, whistling, singing or playing musical instruments;
- 4. The loading or unloading of any containers, products, materials or refuse with the exception of private household effects;
- 5. The use or operation of any commercial vacuuming equipment such as rug cleaning equipment;
- 6. The operation of any sound system in a manner such that the sound from the equipment being operated is audible beyond the bounds of the property from which the noise is emitted;
- 7. The operation of motorized conveyance other than on a street or other place intended for its operation;
- 8. The use or operation of construction equipment, except where such equipment is used or operated on any highways;
- 9. The operation of a power assisted hang glider, parafoil or hot-air balloon;

10. Construction and the operation of any equipment in connection with construction;
11. The operation of any powered rail car including but not limited to refrigeration cars, locomotives or self-propelled passenger cars, while stationery on property not owned or controlled by a railway governed by the Canada Railway Act.
12. The operation of a garburation, solid waste bulk lift, refuse compacting equipment or hydraulic dumpster associated with a commercial enterprise;
13. The operation of a commercial car wash;
14. All selling or advertising by shouting or outcry or amplified sound;
15. The venting, release or pressure relief of air, steam or other gaseous material, product or compound from any autoclave, boiler pressure vessel, pipe, valve, machine, device or system.

I, Rhonda Brown, Municipal Clerk of the Municipality of the District of West Hants, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the Municipality of the District of West Hants at a meeting duly called and held on the ____ day of ____ (month), ____ (year).

(Signature of Municipal Clerk)
(Typed name of Municipal Clerk)

By-Law Adoption	
First Reading:	Date
Notice Published:	Date
Second Reading & Approval	Date
Final Publication	Date
Notice to Municipal Affairs	Date
Description:	



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: WHRM Committee of the Whole

Submitted by: Carlee Rochon
Carlee Rochon, Director of Financial Services

Date: February 9, 2021

Subject: Temporary Borrowing Resolution

LEGISLATIVE AUTHORITY

Municipal Government Act, Part IV Finance, Section 65 & 66

RECOMMENDATION

That Committee of the Whole recommends that . . .

. . . Council approves a temporary borrowing resolution in the amount of \$24,093, for airbag replacement and components for Hantsport Fire and Brooklyn Fire Departments.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☒	Councillor Activity ☐
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A Temporary Borrowing Resolution (TBR) is a required step in the process to secure the necessary borrowing to support the purchase of items of significant cost required by the Municipality. A TBR requires Council's approval to move forward.

West Hants Regional Council approved the following capital projects in the 2020-2021 capital budget on June 3rd, 2020:

- Rescue Airbags for Brooklyn Fire in the amount of \$12,957.
- Maxi Force Airbag Set for Hantsport Fire in the amount of \$12,957.

DISCUSSION

Rescue Airbags and Maxi Force Airbag Set

The total cost for the required airbags and airbag components for both Hantsport and Brooklyn Fire was \$25,444.84, which is within the approved amount of \$25,914.

In the 2020-21 Operating budget Council approved the amount of \$1,352 as debt servicing. The total cost is then reduced by the budgeted debt servicing for the total amount borrowed of \$24,093.

NEXT STEPS

1. Minister approval of temporary borrowing resolutions.
2. Recommendation report to West Hants Regional Council to apply for Spring 2021 Debenture once announced.

FINANCIAL IMPLICATIONS

The full financing charges for all the above already make up part of the current fiscal year's budget, so they will have no impact on the budget.

ALTERNATIVES

1. Council could reject the proposed TBR's, but in doing so would have to direct staff as to how the items are to be funded.

ATTACHMENTS

- TBR RESO - 20 21 Rescue Airbags and Maxi Force Airbag Set – BFD/HFD

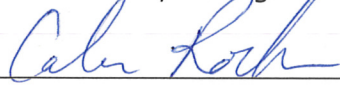
CHIEF ADMINISTRATIVE OFFICER REVIEW

No further comments.

Report Prepared by:

Diana Gibson, Manager of Accounting and Financial Reporting

Report Reviewed by:



Carlee Rochon, Director, Financial Services

Report Approved by:



Mark Phillips, Chief Administrative Officer

MUNICIPAL COUNCIL OF THE
West Hants Regional Municipality
TEMPORARY BORROWING RESOLUTION

Amount: \$ 24,093

Purpose: BFD/HFD - Maxi Force Airbag Set and

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the West Hants Regional Municipality, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the West Hants Regional Municipality has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for a capital purpose as identified in their capital budget; and

WHEREAS the Council of the West Hants Regional Municipality has determined to borrow the aggregate principal amount of twenty-four thousand, ninety-three Dollars (\$ 24,093) for the purposes of BFD/HFD - Maxi Force Airbag Set and Rescue Airbags;

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the West Hants Regional Municipality borrow a sum or sums not exceeding twenty-four thousand, ninety-three Dollars (\$ 24,093) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the West Hants Regional Municipality to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that the Council borrow from time to time a sum or sums not exceeding twenty-four thousand, ninety-three Dollars (\$ 24,093) in total from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of the approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the West Hants Regional Municipality held on the 23 day of February, 2021.

GIVEN under the hands of the Clerk and under the seal of the West Hants Regional Municipality this ____ day of _____, 2021.

Clerk



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: West Hants Regional Municipality (WHRM) Committee of the Whole

Submitted by: _____
Shelleena Thornton, Administrative Supervisor

Date: February 09, 2021

Subject: Accessibility Advisory Committee - Resident Member Appointment

LEGISLATIVE AUTHORITY

Nova Scotia Municipal Government Act (MGA) – Sections 24-27, Standing, special and advisory committees; Vacancy on Boards, Commissions and Committees; Citizen Advisory Committees; and Community Committees.

Nova Scotia Accessibility Act

West Hants Regional Municipality Meeting and Committee Procedural Policy RCOGE-003.00

RECOMMENDATIONS

...that Council approves the following resident member(s) be appointed to the Accessibility Advisory Committee for the term April 01, 2020 to October 31, 2022: New Boundaries representative, Denise Long as primary member and Sarah Naugle as the alternate.

BACKGROUND

Property ☐	Public Opinion ☒	Environment ☐	Social ☒	Economic ☐	Councillor Activity ☐
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The Meeting and Committees Procedural Policy RCOGE-003.00 (as amended) was approved by Council at the October 27, 2020 Council meeting. Included in that Policy are appendices with respect to other Committees of Council, including the Accessibility Advisory Committee.

DISCUSSION

Accessibility Advisory Committee (AAC) as per Policy

Will consist of seven (7) members as follows:

- Two-year term – One (1) member of Council
- Two-year term – four (4) Resident members
- Three-year term – two (2) Resident members

At least one half of the members of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.

Current appointments include:

- Councillor Debbie Francis (2-year term)
- Jennifer Davison (resident)(3-year term)
- Mike Coulter (resident) (3-year term)
- Michael Bourgeois (2-year term)
- Roseanna Boyd (2-year term)
- Jordan Stephens (2-year term)

This report recommendation would bring the membership to seven and in compliance with both our policy and with the Accessibility Act representation guidelines.

NEXT STEPS

The newly appointed members will be contacted and notified of their appointment and the first meeting will be scheduled. A draft Administrative Terms of Reference will be created and reviewed at the first committee meeting.

FINANCIAL IMPLICATIONS

Resident members appointed to Committees of Council receive remuneration in accordance with West Hants Regional Municipality's Council Remuneration Policy, which is identified in the annual Operating Budget.

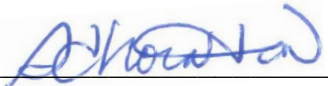
ALTERNATIVES

Council could choose to not support the recommendation and staff would continue to advertise.

ATTACHMENTS

Appendix D from the Meeting and Committee Procedural Policy: Accessibility Advisory Committee

Report Prepared by:


Shelleena Thornton, Administrative Supervisor

Report Approved by:


Mark Phillips, Chief Administrative Officer

APPENDIX D

Accessibility Advisory Committee

1. PURPOSE

- 1.1. The Accessibility Advisory Committee provides advice to Council on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping the Region of Windsor and West Hants Municipality become a barrier-free community and ensuring obligations under "An Act Respecting Accessibility in Nova Scotia (2017)" are met.

2. SCOPE

- 2.1. This Policy is applicable to all members appointed to the Municipality's Accessibility Advisory Committee.

3. DEFINITIONS

- 3.1. In Appendix D,
- a) "AAC" means the Accessibility Advisory Committee of the Municipality;
 - b) "Act" means the *Accessibility Act*;
 - c) "Barrier" means anything that hinders or challenges the full and effective participation in society of persons with disabilities including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice;
 - d) "Council" means the Council for the Municipality;
 - e) "Disability" includes a physical, mental, intellectual, learning or sensory impairment, including an episodic disability; that, in interaction with a barrier, hinders an individual's full and effective participation in society;
 - f) "Municipality" means the Region of Windsor and West Hants Municipality (or name of the Regional Municipality given as per Section 11 of the Region of Windsor and West Hants Municipality Act), effective April 1, 2020.

4. COMMITTEE COMPOSITION

- 4.1. The AAC will consist of seven (7) members as follows:
- To a two-year term – One (1) members of Council
 - To a two-year term – four (4) Resident members
 - To a three-year term – two (2) Resident members.
- 4.2. Resident members will not be members of Council or employees of the Municipality.

-
- 4.3. At least one half of the members of the AAC must be persons with disabilities or representatives from organizations representing persons with disabilities.
- 4.4. If a member vacates AAC for any reason at any time before that member's term would normally expire, Council will promptly appoint a new member to the Committee to hold office for the unexpired term.
- 4.5. The Chair and Vice-Chair will be appointed annually by the members of AAC.

5. MANDATE AND RESPONSIBILITIES

- 5.1. AAC has the following responsibilities:
- a) Advise Council in the preparation, implementation and effectiveness of its accessibility plan. In accordance with the Act, the plan must include:
 - A report on measures the Municipality has taken and intends to take to identify, remove and prevent barriers;
 - Information on procedures the Municipality has in place to assess the following for their effect on accessibility for persons with disabilities:
 - i. Any of its proposed policies, programs, practices and services, and
 - ii. Any proposed enactments or bylaws it will be administering; and
 - Any other prescribed information.
 - b) Advise Council on the impact of the Municipality's policies, programs and services on persons with disabilities;
 - c) Review and monitor existing and proposed Municipal by-laws to promote full participation of persons with disabilities, in accordance with the Act;
 - d) Identify and advise on the accessibility of existing and proposed municipal services and facilities;
 - e) Advise and make recommendations about strategies designed to achieve the objectives of the Municipality's Accessibility Plan;
 - f) Receive and review information directed to it by Council and its committees, and to make recommendations as requested;
 - g) Monitor Federal and Provincial government directives and regulations; and,
 - h) Host community consultations related to accessibility in the Municipality.

6. ADMINISTRATION

- 6.1. AAC will meet no less than six times per year, or otherwise as required to fulfill the duties as outlined.
- 6.2. A quorum for AAC will be a majority, four (4) members.
- 6.3. The AAC may receive presentations from the public upon approval of the

Chair.

- 6.4. The AAC may establish Working Groups to explore specific issues related to the accessibility plan and/or to other responsibilities. Members of the Working Group may consist of additional members of the community. A member of the AAC shall chair the Working Group.